

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2004 Legislative Session

Legislative Day No. **10**

Bill No. 53-2004

Introduced by: The Chairman at the request of the County Executive

AN ACT adopting certain International Codes as the Building Code for Howard County to apply to the design, construction, alteration, improvement, or modification of a building, structure or other equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; and generally relating to the Building Code for Howard County.

Introduced and read first time _____, 2004. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2004.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2004 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2004 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2004

James N. Robey, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that
2 *Section 3.100. “Howard County Building Code; adoption of international codes”,*
3 *Section 3.101 “Amendments to the International Building Code, 2000 Edition”, Section*
4 *3.102 “Amendments to the International Residential Code, 2000 Edition”, Section 3.103*
5 *“Amendments to the International Mechanical Code, 2000 Edition” and Section 3.104*
6 *“Amendments to the International Energy Conservation Code, 2000 Edition” of Subtitle*
7 *1 “Building Code” of Title 3 “Buildings” of the Howard County Code are hereby*
8 *repealed.*

9
10 **Section 2. *Be It Enacted*** by the County Council of Howard County, Maryland, that
11 *Section 3.100 “Howard County Building Code; Adoption of International Codes”,*
12 *Section 3.101 “Local amendments to the International Building Code, 2003 Edition”,*
13 *Section 3.102 “Amendments to the International Residential Code, 2003 Edition”,*
14 *Section 3.103 “Amendments to the International Mechanical Code, 2003 Edition” and*
15 *Section 3.104 “Amendments to the International Energy Conservation Code, 2003*
16 *Edition” are added to Subtitle 1 “Building Code” of Title 3 “Buildings” of the Howard*
17 *County Code to read as follows:*

18 19 **TITLE 3. BUILDINGS**

20 **SUBTITLE 1. BUILDING CODE**

21 **SEC. 3.100. HOWARD COUNTY BUILDING CODE; ADOPTION OF** 22 **INTERNATIONAL CODES.**

23 (A) EXCEPT AS AMENDED IN SECTIONS 3.101, 3.102, 3.103, AND 3.104 OF
24 THIS SUBTITLE, THE CODES ENUMERATED IN THIS SECTION ARE
25 HEREBY ADOPTED AS THE BUILDING CODE OF HOWARD COUNTY AS
26 IF THE CODES WERE SET OUT IN FULL IN THIS SECTION.

27 (1) THE INTERNATIONAL BUILDING CODE, 2003 EDITION,
28 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.

29 (2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-
30 FAMILY DWELLINGS, 2003 EDITION, PUBLISHED BY THE
31 INTERNATIONAL CODE COUNCIL, INC.

- 1 (3) THE INTERNATIONAL MECHANICAL CODE, 2003 EDITION,
2 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.
- 3 (4) THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003
4 EDITION, PUBLISHED BY THE INTERNATIONAL CODE
5 COUNCIL, INC.
- 6 (5) THE LIFE SAFETY CODE, 2003 EDITION, PUBLISHED BY THE
7 NATIONAL FIRE PROTECTION ASSOCIATION.
- 8 (6) THE HOWARD COUNTY ELECTRICAL CODE, PURSUANT TO
9 TITLE 3, SUBTITLE 2, OF THE HOWARD COUNTY CODE.
- 10 (7) THE HOWARD COUNTY PLUMBING AND ~~GAS-FITTING~~
11 GASFITTING CODE PURSUANT TO TITLE 3, SUBTITLE 3, OF THE
12 HOWARD COUNTY CODE.
- 13 ~~(8) THE MARYLAND STATE ACCESSIBILITY CODE, CODE OF~~
14 ~~MARYLAND REGULATIONS 05.02.02.~~
- 15 (8) THE MARYLAND STATE ACCESSIBILITY CODE.
- 16 (9) THE HOWARD COUNTY SIGN CODE, PURSUANT TO TITLE 3,
17 SUBTITLE 5, OF THE HOWARD COUNTY CODE.
- 18

19 **SEC. 3.101. LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING**
20 **CODE, 2003 EDITION.**

- 21 (A) THE FOLLOWING AMENDMENTS MODIFY CERTAIN PROVISIONS OF
22 THE ADOPTED CODE:

23 (1) *IN GENERAL.*

- 24 (I) AS USED IN THIS SECTION, THE TERM “THIS CODE”
25 MEANS THE INTERNATIONAL BUILDING CODE, 2003
26 EDITION.

- 27 (II) AS USED IN THIS CODE, THE TERM “BUILDING
28 OFFICIAL” MEANS THE DIRECTOR OF THE DEPARTMENT
29 OF INSPECTIONS, LICENSES AND PERMITS OR THE
30 DIRECTOR’S AUTHORIZED DESIGNEE.

(III) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT “HOWARD COUNTY, MARYLAND”.

(IV) AS USED IN THIS CODE, THE TERMS “DEPARTMENT OF BUILDING SAFETY” MEANS THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

(2) *SECTION 101.1 TITLE.*

DELETE THIS SECTION.

(3) *SECTION 101.2 SCOPE.*

DELETE THE EXCEPTIONS IN SECTION 101.2 AND SUBSTITUTE THE FOLLOWING:

EXCEPTION 1: A DETACHED ONE-FAMILY AND TWO-FAMILY DWELLING AND A MULTIPLE SINGLE-FAMILY DWELLING (TOWNHOUSES) NOT MORE THAN THREE STORIES HIGH WITH SEPARATE MEANS OF EGRESS AND THEIR ACCESSORY STRUCTURES SHALL COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE AND THE APPLICABLE REQUIREMENTS OF BOTH CHAPTER 12 - INTERIOR ENVIRONMENT, AND SECTION 3110 OF CHAPTER 31 OF THE HOWARD COUNTY BUILDING CODE.

EXCEPTION 2: AN EXISTING BUILDING UNDERGOING REPAIR, ALTERATION, ADDITION, OR CHANGE OF OCCUPANCY MAY COMPLY WITH THE MARYLAND REHABILITATION CODE.

EXCEPTION 3: AGRICULTURAL BUILDINGS. THE PROVISIONS OF THIS CODE SHALL NOT APPLY TO THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL, DEMOLITION, USE, LOCATION, OR MAINTENANCE OF AN AGRICULTURAL BUILDING. THIS PROVISION DOES NOT EXEMPT THE OWNER FROM OBTAINING REQUIRED ELECTRICAL OR PLUMBING PERMITS OR FROM COMPLYING

- 1 WITH ALL OTHER APPLICABLE LOCAL, STATE, AND FEDERAL
2 REGULATIONS, LAWS, AND ORDINANCES.
- 3 (4) *SUBSECTION 101.3.1 PURPOSE.*
4 ADD NEW SUBSECTION 101.3.1 AFTER SUBSECTION 101.3 AS
5 FOLLOWS:
6 **101.3.1. PURPOSE.** THE PURPOSE OF ACTIONS TAKEN BY THE
7 AUTHORITY HAVING JURISDICTION PURSUANT TO THIS CODE
8 ARE PURELY GOVERNMENTAL IN NATURE AND ARE
9 CONDUCTED SOLELY FOR THE PUBLIC BENEFIT. ACTIONS
10 TAKEN PURSUANT TO THIS CODE ARE NOT TO BE CONSTRUED
11 AS PROVIDING ANY WARRANTY OF DESIGN OR
12 CONSTRUCTION TO ANY PERSON.
- 13 (5) *SUBSECTION 101.4 REFERENCED CODES.*
14 IN THE FIRST PARAGRAPH, DELETE “101.4.1 THROUGH 101.4.7”
15 AND SUBSTITUTE “101.4.1. THROUGH 101.4.9”.
- 16 (6) *SUBSECTION 101.4.1 ELECTRICAL.*
17 DELETE SUBSECTION 101.4.1 AND SUBSTITUTE THE
18 FOLLOWING:
19 **101.4.1 ELECTRICAL.** WHENEVER THE TERM
20 “INTERNATIONAL ELECTRICAL CODE” IS USED, IT SHALL
21 MEAN THE HOWARD COUNTY ELECTRICAL CODE ADOPTED
22 PURSUANT TO TITLE 3, SUBTITLE 2, OF THE HOWARD COUNTY
23 CODE.
- 24 (7) *SUBSECTION 101.4.2 GAS.*
25 DELETE SUBSECTION 101.4.2 AND SUBSTITUTE THE
26 FOLLOWING:
27 **101.4.2 GAS.** WHENEVER THE TERM “INTERNATIONAL FUEL
28 GAS CODE” IS USED, IT SHALL MEAN THE HOWARD COUNTY
29 PLUMBING AND GASFITTING CODE ADOPTED PURSUANT TO
30 TITLE 3, SUBTITLE 3, OF THE HOWARD COUNTY CODE.
- 31 (8) *SUBSECTION 101.4.3 MECHANICAL.*

1 DELETE SUBSECTION 101.4.3 AND SUBSTITUTE THE
2 FOLLOWING:

3 **101.4.3 MECHANICAL.** WHENEVER THE TERM
4 “INTERNATIONAL MECHANICAL CODE” IS USED, IT SHALL
5 MEAN THE HOWARD COUNTY MECHANICAL CODE ADOPTED
6 PURSUANT TO TITLE 3, TITLE 1, OF THE HOWARD COUNTY
7 CODE.

8 (9) *SUBSECTION 101.4.4 PLUMBING.*

9 DELETE SUBSECTION 101.4.4 AND SUBSTITUTE THE
10 FOLLOWING:

11 **101.4.4 PLUMBING.** WHENEVER THE TERM “INTERNATIONAL
12 PLUMBING CODE” IS USED IT SHALL MEAN THE HOWARD
13 COUNTY PLUMBING CODE AND GASFITTING CODE ADOPTED
14 PURSUANT TO TITLE 3, SUBTITLE 3, OF THE HOWARD COUNTY
15 CODE.

16 (10) *SUBSECTION 101.4.5 PROPERTY MAINTENANCE.*

17 DELETE SUBSECTION 101.4.5 AND SUBSTITUTE THE
18 FOLLOWING:

19 **101.4.5 PROPERTY MAINTENANCE.** WHENEVER THE TERM
20 “PROPERTY MAINTENANCE CODE” IS USED IT SHALL MEAN
21 THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR
22 RENTAL HOUSING ADOPTED PURSUANT TO TITLE 3, SUBTITLE
23 7, OF THE HOWARD COUNTY CODE.

24 (11) *SUBSECTION 101.4.6 FIRE PREVENTION.*

25 DELETE SUBSECTION 101.4.6 AND SUBSTITUTE THE
26 FOLLOWING:

27 **101.4.6 FIRE PREVENTION.** WHENEVER THE TERM
28 “INTERNATIONAL FIRE CODE” IS USED IT SHALL MEAN THE
29 HOWARD COUNTY FIRE PREVENTION CODE ADOPTED
30 PURSUANT TO TITLE 17, SUBTITLE 1, OF THE HOWARD
31 COUNTY CODE.

1 (12) *SUBSECTION 101.4.7 ENERGY.*

2 DELETE SUBSECTION 101.4.7 AND SUBSTITUTE THE
3 FOLLOWING:

4 **101.4.7 ENERGY.** WHENEVER THE TERM “INTERNATIONAL
5 ENERGY CONSERVATION CODE” IS USED, IT SHALL MEAN THE
6 HOWARD COUNTY ENERGY CONSERVATION CODE ADOPTED
7 PURSUANT TO TITLE 3, SUBTITLE 1, OF THE HOWARD COUNTY
8 CODE

9 (13) *SUBSECTION 101.4.8 ACCESSIBILITY.*

10 ADD NEW SUBSECTION 101.4.8 AFTER SUBSECTION 101.4.7 AS
11 FOLLOWS:

12 **101.4.8 ACCESSIBILITY.** THE PROVISIONS OF THE MARYLAND
13 ACCESSIBILITY CODE SHALL APPLY TO ALL MATTERS
14 AFFECTING HANDICAPPED ACCESSIBILITY AND USE OF
15 BUILDINGS AND SITES.

16 (14) *SUBSECTION 101.4.9 SIGNS.*

17 ADD NEW SUBSECTION 101.4.9 AFTER SUBSECTION 101.4.8 AS
18 FOLLOWS:

19 **101.4.9 SIGNS.** THE PROVISIONS OF THE HOWARD COUNTY
20 CODE, TITLE 3, SUBTITLE 5, SHALL APPLY TO THE LOCATION
21 AND INSTALLATION OF SIGNS PERMITTED IN HOWARD
22 COUNTY.

23 (15) *SECTION 103 DEPARTMENT OF BUILDING SAFETY.*

24 DELETE THE TITLE OF THIS SECTION AND SUBSTITUTE THE
25 FOLLOWING AS THE NEW TITLE:

26 **“SECTION 103**
27 **ENFORCEMENT AGENCY”**

28 (16) *SUBSECTION 103.1 CREATION OF ENFORCEMENT AGENCY.*

29 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

30 **103.1 ENFORCEMENT AGENCY.** THE HOWARD COUNTY
31 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS IS

1 RESPONSIBLE FOR ENFORCING THE PROVISIONS OF THIS
2 CODE. THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
3 LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED
4 DESIGNEE SHALL BE KNOWN AS THE BUILDING OFFICIAL.

5 (17) *SUBSECTION 103.2 APPOINTMENT.*

6 DELETE THIS SUBSECTION.

7 (18) *SUBSECTION 103.3 DEPUTIES.*

8 DELETE THIS SUBSECTION.

9 (19) *SUBSECTION 104.1.1 RULE-MAKING AUTHORITY.*

10 ADD NEW SUBSECTION 104.1.1 AFTER SUBSECTION 104.1 TO
11 READ AS FOLLOWS:

12 **104.1.1 RULE-MAKING AUTHORITY.** IN THE INTEREST OF
13 PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE, THE
14 BUILDING OFFICIAL SHALL HAVE AUTHORITY TO
15 PROMULGATE RULES AND ADOPT REGULATIONS TO
16 INTERPRET AND IMPLEMENT THE PROVISIONS OF THIS CODE.
17 RULES AND REGULATIONS SHALL NOT HAVE THE EFFECT OF
18 WAIVING STRUCTURAL OR FIRE PERFORMANCE
19 REQUIREMENTS SPECIFICALLY PROVIDED FOR IN THIS CODE.
20 RULES AND REGULATIONS SHALL NOT VIOLATE ACCEPTED
21 ENGINEERING PRACTICES INVOLVING PUBLIC SAFETY.

22 (20) *SUBSECTION 104.8 ~~LIABILITY~~ LIABILITY.*

23 IN THE NEXT TO THE LAST SENTENCE OF THIS SUBSECTION
24 ~~DELETE “UNTIL THE FINAL TERMINATION OF THE~~ DELETE
25 “LEGAL REPRESENTATION OF THE JURISDICTION UNTIL THE
26 FINAL TERMINATION OF THE PROCEEDINGS” AND
27 SUBSTITUTE “HOWARD COUNTY IN ACCORDANCE WITH
28 MARYLAND LAW”.

29 (21) *SUBSECTION 105.1.1 ANNUAL PERMIT.*

30 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

1 **105.1.1. MASTER PERMIT.** IN LIEU OF AN INDIVIDUAL PERMIT
2 FOR EACH ALTERATION TO AN ALREADY APPROVED
3 BUILDING, ELECTRICAL, FIRE, GAS, MECHANICAL, OR
4 PLUMBING INSTALLATION, THE BUILDING OFFICIAL IS
5 AUTHORIZED TO ISSUE A MASTER PERMIT UPON
6 APPLICATION BY ANY PERSON, FIRM, OR CORPORATION
7 REGULARLY EMPLOYING ONE OR MORE QUALIFIED
8 PROFESSIONAL OR TRADESPERSONS IN THE BUILDING,
9 STRUCTURE, OR ON THE PREMISES OWNED OR OPERATED BY
10 THE APPLICANT FOR THE PERMIT.

11 (22) *SUBSECTION 105.1.2 ANNUAL PERMIT RECORDS.*

12 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

13 **105.1.2. MASTER PERMIT RECORDS.** A PERSON WHO IS
14 ISSUED A MASTER PERMIT SHALL KEEP A DETAILED RECORD
15 OF ALTERATIONS MADE UNDER THE MASTER PERMIT. THE
16 BUILDING OFFICIAL SHALL HAVE ACCESS TO THE RECORDS
17 AT ALL TIMES OR THE RECORDS SHALL BE FILED WITH THE
18 BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY PERFORM
19 PERIODIC INSPECTIONS OF THE WORK THAT HAS BEEN
20 PERFORMED UNDER A MASTER PERMIT.

21 (23) *SUBSECTION 105.1.2.1 BUILDING CODE COMPLIANCE*
22 *ASSURANCE MANUAL.*

23 ADD NEW SUBSECTION 105.1.2.1 AFTER SUBSECTION 105.1.2 AS
24 FOLLOWS:

25 **105.1.2.1. BUILDING CODE COMPLIANCE ASSURANCE**
26 **MANUAL.** THE APPLICANT SHALL PROVIDE TO THE BUILDING
27 OFFICIAL A BUILDING CODE COMPLIANCE ASSURANCE
28 MANUAL THAT SHALL INCLUDE THE FOLLOWING:

29 (I) A STATEMENT OF THE POLICIES AND PROCEDURES TO
30 MONITOR AND CONTROL THE ALTERATION AND
31 RENOVATION PROCESS TO ASSURE COMPLIANCE WITH

1 THE HOWARD COUNTY CODE. THE MANUAL SHALL
2 DESCRIBE THE MEANS BY WHICH THE APPLICANT
3 ASSURES CODE COMPLIANCE BY ADHERING TO
4 WRITTEN PROCEDURES OF QUALIFIED PERSONS TO
5 PERFORM THE SCOPE OF THE WORK COVERED BY THE
6 APPLICATION;

7 (II) A DESCRIPTION OF THE APPLICANT’S PROCESS FOR
8 PLAN DEVELOPMENT, PLAN REVIEW, AND INSPECTION;

9 (III) A DESCRIPTION OF THE MEANS TO ASSURE
10 COMPLIANCE WITH FIRE PROTECTION ELEMENTS OF
11 THE BUILDING AND SYSTEMS AFFECTED BY THE
12 PROPOSED ALTERATION OR RENOVATION; AND

13 (IV) IF APPLICABLE, A STATEMENT OF COMPLIANCE FOR
14 ACCESSIBILITY.

15 (24) *SUBSECTION 105.2 WORK EXEMPT FROM PERMIT.*

16 (I) IN ITEM 1, DELETE “120” AND SUBSTITUTE “200;

17 (II) IN ITEM 4, DELETE “4 FEET” AND ~~INSERT~~ SUBSTITUTE “3
18 FEET”;

19 (III) IN ITEM 11, DELETE “ACCESSORY TO DETACHED ONE
20 AND TWO-FAMILY DWELLINGS”; AND

21 (IV) ADD THE FOLLOWING AS EXCEPTION (14) UNDER
22 “BUILDING” AT THE END OF THIS SUBSECTION:

23 THE FOLLOWING WORK ON AN EXISTING SINGLE
24 FAMILY DWELLING:

25 A. EXTERIOR:

26 I. REPLACEMENT OF A ROOF COVERING WITH
27 NO OTHER STRUCTURAL REPAIRS;

28 II. INSTALLATION OF SIDING, INCLUDING, BUT
29 NOT LIMITED TO, ALUMINUM OR VINYL
30 SIDING;

- III. INSTALLATION OF FASCIA, SOFFIT TRIM, A GUTTER, OR DOWNSPOUT;
- IV. REPLACEMENT OF A WINDOW OR DOOR WHEN THERE IS NO CHANGE IN THE ROUGH OPENING SIZE;
- V. INSTALLATION OF A CANVAS OR FIXED AWNING; OR
- VI. INSTALLATION OF AN EXTERIOR LIGHTING FIXTURE;
- B. INTERIOR:
 - I. INSTALLATION OF A RADON SYSTEM;
 - II. PAINTING, WALLPAPERING, OR FLOOR COVERING;
 - III. INSTALLATION OF KITCHEN OR BATHROOM CABINETS, COUNTER TOPS, AN APPLIANCE, OR FIXTURE;
 - IV. REPLACEMENT OF PANELING OR WALLBOARD;
 - V. REPLACEMENT OF A DOOR WHEN THERE IS NO CHANGE IN THE ROUGH OPENING SIZE;
 - VI. INSTALLATION OF INSULATION;
 - VII. INSTALLATION OF A BURGLAR, FIRE ALARM, OR SMOKE DETECTOR SYSTEM;
 - VIII. INSTALLATION OF A WATER HEATER; OR
 - IX. INSTALLATION OF A CEILING FAN, LIGHT FIXTURE, OR RECEPTACLE; OR
- C. THE FOLLOWING ADDITIONAL STRUCTURES:
 - I. A ONE STORY DETACHED ACCESSORY STRUCTURE CONTAINING LESS THAN 200 SQUARE FEET IN AREA INCLUDING, BUT NOT LIMITED TO, A STORAGE SHED,

- 1 PAGODA, KIOSK, GAZEBO, ARBOR, OR
2 PLAYHOUSE;
3 II. INSTALLATION OF A GREENHOUSE;
4 III. INSTALLATION OF A TENT OR CANOPY;
5 IV. INSTALLATION OF A FENCE, UNLESS THE
6 FENCE IS OVER 6 FEET HIGH OR ENCLOSES
7 A SWIMMING POOL; OR
8 V. INSTALLATION OF A MAILBOX; OR
9 D. SITE WORK:
10 I. PAVING A DRIVEWAY;
11 II. INSTALLATION OF A PATIO, SIDEWALK, OR
12 LANDSCAPING;
13 III. INSTALLATION OF A RETAINING WALL
14 THAT IS 3 FEET OR LESS IN HEIGHT; OR
15 IV. INSTALLATION OF A FLAGPOLE OR
16 FLAGPOLE BASE.

17 (25) *SUBSECTION 105.3 APPLICATION FOR PERMIT.*

18 DELETE THE FIRST PARAGRAPH OF THIS SUBSECTION AND
19 ~~INSERT~~ SUBSTITUTE THE FOLLOWING:

20 TO OBTAIN A PERMIT, THE OWNER, OWNER'S AGENT, LESSEE,
21 LESSEE'S AGENT, OR THE REGISTERED DESIGN
22 PROFESSIONAL EMPLOYED TO COMPLETE THE PROPOSED
23 WORK ON A BUILDING OR STRUCTURE SHALL APPLY FOR A
24 PERMIT. THE APPLICATION SHALL STATE, AS APPLICABLE,
25 THE FULL NAME AND ADDRESS OF THE OWNER, OWNER'S
26 AGENT, LESSEE, LESSEE'S AGENT, AND THE REGISTERED
27 DESIGN PROFESSIONAL EMPLOYED TO COMPLETE THE
28 PROPOSED WORK. IF THE APPLICANT IS NOT AN INDIVIDUAL,
29 SUCH AS, WITHOUT LIMITATION, A PARTNERSHIP, LIMITED
30 PARTNERSHIP, CORPORATION, LIMITED LIABILITY COMPANY,
31 OR OTHER ENTITY, THE APPLICATION SHALL STATE THE

1 NAME AND ADDRESS OF THE PERSONS RESPONSIBLE FOR
2 MANAGING THE BUSINESS INCLUDING, BUT NOT LIMITED TO
3 PARTNERS, DIRECTORS OR OFFICERS. SUCH APPLICATION
4 SHALL:

5 (26) *SUBSECTION 106.1.1.2 ADDITIONAL INFORMATION REQUIRED.*

6 ADD NEW SUBSECTION 106.1.1.2 AFTER SUBSECTION 106.1.1. AS
7 FOLLOWS:

8 **106.1.1.2 ADDITIONAL INFORMATION REQUIRED.**

9 (I) A DETACHED ONE OR TWO FAMILY DWELLING
10 INCLUDING NEW CONSTRUCTION, AN ALTERATION,
11 MINOR ADDITION, OR OTHER STRUCTURE SHALL
12 REQUIRE THE FOLLOWING ADDITIONAL INFORMATION:

13 A. EXCEPT AS PROVIDED IN PARAGRAPH B, 2 SETS
14 OF CONSTRUCTION DOCUMENTS DRAWN TO
15 SCALE WITH SUFFICIENT CLARITY AND DETAIL
16 TO SHOW THE NATURE AND CHARACTER OF THE
17 WORK TO BE PERFORMED INCLUDING, BUT NOT
18 LIMITED TO THE FOLLOWING:

- 19 1. A PLAN OF EACH FLOOR LEVEL;
- 20 2. 4 ELEVATIONS AND TYPICAL CROSS
21 SECTIONS; AND
- 22 3. 7 COPIES OF PLOT PLANS OR 2 COPIES OF
23 THE APPROVED SITE DEVELOPMENT PLAN
24 AS REQUIRED BY THE HOWARD COUNTY
25 SUBDIVISION REGULATIONS; OR

26 B. A BUILDING OFFICIAL MAY WAIVE THE
27 REQUIREMENTS OF PARAGRAPH A OF THIS
28 SUBSECTION. WHERE WAIVED, THE
29 APPLICATION SHALL BE ACCOMPANIED BY 4
30 COPIES OF THE PLOT PLAN OR 2 COPIES OF THE
31 APPROVED SITE DEVELOPMENT PLAN WHEN

1 REQUIRED BY THE HOWARD COUNTY
2 SUBDIVISION REGULATIONS THE BUILDING
3 OFFICIAL MAY WAIVE THE REQUIREMENTS SET
4 FORTH IN PARAGRAPH A OF THIS SUBSECTION
5 FOR:

- 6 1. AN ALTERATION;
- 7 2. A 1 STORY ADDITION CONTAINING LESS
8 THAN 600 SQUARE FEET TOTAL AREA; OR
- 9 3. OTHER STRUCTURE ACCESSORY TO A ONE
10 OR TWO FAMILY DWELLING.

11 (II) EXCEPT AS SET FORTH IN ITEMS B AND C, A NEW
12 BUILDING, ADDITION, OR ALTERATION TO A BUILDING
13 OTHER THAN A DETACHED ONE OR TWO-FAMILY
14 DWELLING SHALL REQUIRE THE FOLLOWING
15 ADDITIONAL INFORMATION:

16 A. 3 COMPLETE SETS OF ARCHITECTURAL,
17 STRUCTURAL, MECHANICAL (INCLUDING
18 HEATING, VENTILATION, AND AIR
19 CONDITIONING), PLUMBING, AND ELECTRICAL
20 CONSTRUCTION DOCUMENTS. THE DOCUMENTS
21 SHALL BE:

- 22 1. DRAWN TO SCALE WITH SUFFICIENT
23 CLARITY AND DETAIL TO SHOW THE
24 NATURE AND CHARACTER OF THE WORK
25 TO BE PERFORMED;
- 26 2. PREPARED IN COMPLIANCE WITH THIS
27 CODE; AND
- 28 3. SHALL BEAR THE SEAL, SIGNATURE AND
29 DATE OF THE APPROPRIATE MARYLAND
30 STATE PROFESSIONAL ENGINEER OR

1 ARCHITECT WHICH SHALL BE AFFIXED TO
2 ALL SHEETS OF ALL SETS; AND

3 4. AT LEAST ONE SET SHALL BEAR THE
4 ORIGINAL SEAL, SIGNATURE, AND DATE.

5 B. THE BUILDING OFFICIAL MAY ALLOW
6 MECHANICAL, ELECTRICAL, OR PLUMBING
7 DRAWINGS TO BE SIGNED BY THE LICENSED
8 CONTRACTOR DOING THE PROPOSED WORK. THE
9 CONTRACTOR SHALL PROVIDE THEIR NAME,
10 LICENSE NUMBER, DAYTIME PHONE NUMBER,
11 AND DATE OF SIGNATURE. EACH SET OF PLANS
12 SHALL BE ACCOMPANIED BY A COPY OF THE
13 APPROVED AND SIGNED SITE DEVELOPMENT
14 PLAN AS REQUIRED BY THE HOWARD COUNTY
15 SUBDIVISION REGULATIONS.

16 C. THE BUILDING OFFICIAL MAY WAIVE THE
17 REQUIREMENTS OF PLAN SUBMITTAL IF THE
18 WORK IS OF A MINOR INTERIOR OR
19 NONSTRUCTURAL NATURE.

20 (27) *SUBSECTION 106.2.1 SUBDIVISION AND LAND DEVELOPMENT*
21 *REGULATIONS, TITLE 16.*

22 ADD NEW SUBSECTION 106.2.1 AFTER SUBSECTION 106.2 AS
23 FOLLOWS:

24 **106.2.1. SUBDIVISION AND LAND DEVELOPMENT**
25 **REGULATIONS, TITLE 16.** IF A SITE DEVELOPMENT PLAN IS
26 REQUIRED BY THE HOWARD COUNTY SUBDIVISION
27 REGULATIONS, A PERMIT SHALL NOT BE ISSUED UNTIL THE
28 PERMIT IS IN ACCORDANCE WITH THE APPROVED SITE
29 DEVELOPMENT PLAN.

30 (28) *SUBSECTION 108.2 SCHEDULE OF PERMIT FEES.*

31 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

1 **108.2 SCHEDULE OF PERMIT FEES.** A SCHEDULE OF FEES AND
2 REFUNDS FOR BUILDING, FIRE PROTECTION, GRADING, AND
3 OTHER CONSTRUCTION PERMITS ARE ADOPTED PURSUANT
4 TO TITLE 3, SUBTITLE 1, OF THE HOWARD COUNTY CODE
5 WHICH AUTHORIZES THE COUNTY COUNCIL TO ADOPT, BY
6 RESOLUTION, A SCHEDULE OF FEES FOR PERMITS ISSUED BY
7 THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

8 (29) *SUBSECTION 108.2.1 FEE EXEMPTIONS.*

9 ADD NEW SUBSECTION 108.2.1 AFTER SUBSECTION 108.2 AS
10 FOLLOWS:

11 **SECTION 108.2.1 FEE EXEMPTIONS.** A BUILDING OR
12 STRUCTURE OWNED BY THE HOWARD COUNTY
13 GOVERNMENT, HOWARD COUNTY BOARD OF EDUCATION,
14 HOWARD COUNTY COMMUNITY COLLEGE, HOWARD COUNTY
15 VOLUNTEER FIRE CORPORATIONS, OR THE HOWARD COUNTY
16 FAIR ASSOCIATION IS EXEMPT FROM PERMIT FEES.

17 (30) *SUBSECTION 108.5.1 REINSPECTION FEES.*

18 ADD NEW SUBSECTION 108.5.1 AFTER SUBSECTION 108.5 AS
19 FOLLOWS:

20 **108.5.1 REINSPECTION FEES.** A REINSPECTION FEE SHALL BE
21 CHARGED FOR EACH REINSPECTION IF THE WORK HAS TO BE
22 REINSPECTED BECAUSE:

- 23 (I) THE WORK WAS NOT READY FOR INSPECTION AT THE
24 PRE-ARRANGED TIME FOR INSPECTION;
25 (II) THE INSPECTOR DID NOT HAVE ACCESS TO THE WORK
26 AT THE PRE-ARRANGED TIME FOR INSPECTION;
27 (III) THE INSPECTOR HAD TO RETURN MORE THAN ONCE TO
28 INSPECT A CORRECTION OF THE SAME VIOLATION OF
29 THE BUILDING CODE; OR

(IV) THE INSPECTOR DISCOVERS A FLAGRANT NON-COMPLIANCE DURING A REQUESTED INSPECTION, INCLUDING BUT NOT LIMITED TO:

- A. A CUT OR BROKEN TRUSS OR JOIST;
- B. A MISSING LOAD BEARING STUD; OR
- C. THE OMISSION OF FIRE STOPPING.

(31) *SUBSECTION 108.6 REFUNDS.*

DELETE THIS SUBSECTION.

(32) *SUBSECTION 109.3 REQUIRED INSPECTIONS.*

DELETE SUBSECTION 109.3 AND SUBSTITUTE THE FOLLOWING:

109.3 REQUIRED INSPECTIONS. AFTER ISSUING A BUILDING PERMIT, THE BUILDING OFFICIAL SHALL CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON COMPLETION OF THE WORK FOR WHICH A PERMIT HAS BEEN ISSUED. A RECORD OF AN INSPECTION AND OF A VIOLATION SHALL BE MAINTAINED BY THE BUILDING OFFICIAL. AN INSPECTION MAY INCLUDE AN INSPECTION SET FORTH IN SUBSECTIONS 109.3.1 THROUGH 109.3.10 OF THIS SECTION.

(33) *SUBSECTION 110.1 USE AND OCCUPANCY.*

AFTER THE FIRST SENTENCE, INSERT THE FOLLOWING:
EXCEPT AS OTHERWISE PROVIDED, WHERE GRADING HAS OCCURRED, THE DEPARTMENT SHALL NOT ISSUE A CERTIFICATE OF USE AND OCCUPANCY UNLESS THE PERMITTEE SUBMITS A CERTIFICATION BY A REGISTERED LAND SURVEYOR THAT THE SITE GRADING AND DRAINAGE COURSES ARE IN COMPLIANCE WITH THE APPROVED SITE DEVELOPMENT PLAN. IF THERE IS NOT AN APPROVED SITE DEVELOPMENT PLAN, THE PERMITTEE SHALL SUBMIT A CERTIFICATION BY A REGISTERED LAND SURVEYOR THAT THE SITE GRADING AND DRAINAGE COURSES ARE IN

1 COMPLIANCE WITH THE APPROVED EROSION AND SEDIMENT
2 CONTROL PLAN AND GRADING PLAN. THE CERTIFICATION
3 SHALL BE ACCEPTED BY THE COUNTY. THE FINE GRADING
4 AND SOIL STABILIZATION MAY BE DEFERRED UNTIL THE
5 FOLLOWING GROWING SEASON UPON THE POSTING OF
6 ADEQUATE SURETY EQUAL TO THE COST TO COMPLETE THE
7 GRADING AND STABILIZATION.

8 (34) *SECTION 112 BOARD OF APPEALS.*

9 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

10 **SECTION 112 MEANS OF APPEAL.**

11 **112.1 APPLICATION FOR APPEAL.** EXCEPT FOR A NOTICE OF
12 VIOLATION, A PERSON MAY APPEAL THE APPROVAL, DENIAL,
13 REVOCATION, SUSPENSION, OR EXTENSION OF A PERMIT TO A
14 HEARING EXAMINER OF THE HOWARD COUNTY BOARD OF
15 APPEALS. AN APPLICATION FOR AN APPEAL SHALL BE BASED
16 ON A CLAIM THAT THIS CODE HAS BEEN INCORRECTLY
17 INTERPRETED, THE PROVISIONS OF THIS CODE DO NOT APPLY,
18 OR AN EQUALLY GOOD OR BETTER FORM OF CONSTRUCTION
19 IS PROPOSED.

20 **112.2 BOARD OF APPEALS.** THE HOWARD COUNTY BOARD OF
21 APPEALS' HEARING EXAMINER SHALL HEAR AND DECIDE
22 APPEALS IN ACCORDANCE WITH THE PROCEDURES SET
23 FORTH IN ~~SECTION 16.303~~ TITLE 16, SUBTITLE 3 OF THE
24 HOWARD COUNTY CODE. NEITHER THE BOARD OF APPEALS'
25 HEARING EXAMINER NOR THE BOARD OF APPEALS SHALL
26 HAVE AUTHORITY TO WAIVE REQUIREMENTS OF THIS CODE.

27 (35) *SUBSECTION 113.2 NOTICE OF VIOLATION.*

28 (I) INSERT "OWNER OR" BEFORE "PERSON RESPONSIBLE
29 FOR".

30 (II) AMEND BY ADDING THE FOLLOWING SENTENCE TO
31 THE END OF THIS SUBSECTION:

1 A NOTICE OF VIOLATION MAY BE SERVED IN ONE OF
2 THE FOLLOWING METHODS:

- 3 A. PERSONAL SERVICE;
4 B. CERTIFIED OR REGISTERED MAIL, RESTRICTED
5 DELIVERY, RETURN RECEIPT REQUESTED;
6 C. FIRST CLASS MAIL TO THE OWNER'S ADDRESS AS
7 STATED IN THE RECORDS OF THE STATE
8 DEPARTMENT OF ASSESSMENTS AND TAXATION;
9 OR
10 D. WHEN SERVICE IS NOT OBTAINED BY ONE OF
11 THESE METHODS, THE NOTICE MAY BE POSTED IN
12 A CONSPICUOUS PLACE AT THE JOB SITE.

13 (36) *SUBSECTION 113.4 CIVIL FINES AND PROCEDURES.*

14 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

15 **113.4. VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
16 ADDITION TO AND CONCURRENT WITH ALL REMEDIES
17 PROVIDED BY LAW AND AS SET FORTH IN SUBSECTION 113.3,
18 THE BUILDING OFFICIAL MAY ENFORCE THIS SECTION WITH
19 CIVIL PENALTIES PURSUANT TO TITLE 24 "CIVIL PENALTIES"
20 OF THE HOWARD COUNTY CODE. A FIRST VIOLATION OF THIS
21 SECTION IS A CLASS C OFFENSE. A SUBSEQUENT VIOLATION
22 OF THIS SECTION IS A CLASS B OFFENSE. EACH DAY THAT A
23 VIOLATION CONTINUES IS A SEPARATE VIOLATION.

24 (37) *SUBSECTION 113.5 WITHHOLDING OF INSPECTIONS AND*
25 *PERMITS.*

26 ADD NEW SUBSECTION 113.5 AFTER SUBSECTION 113.4 TO
27 READ AS FOLLOWS:

28 **113.5 WITHHOLDING OF INSPECTIONS AND PERMITS.** IF THE
29 BUILDING OFFICIAL FINDS THAT AN OWNER OR RESPONSIBLE
30 PERSON IS IN VIOLATION OF A PROVISION OF THIS CODE, THIS
31 TITLE, OR REGULATION WHICH IMPLEMENTS THIS CODE IN

1 CONNECTION WITH THE CONSTRUCTION, MAINTENANCE,
2 ALTERATION, OR REPAIR OF A BUILDING, EQUIPMENT, OR
3 LAND WITHIN HOWARD COUNTY, THE BUILDING OFFICIAL
4 MAY REFUSE TO GRANT AN INSPECTION OR PERMIT TO THE
5 CONTRACTOR, DEVELOPER, OWNER, OR OTHER RESPONSIBLE
6 PERSON UNTIL ALL VIOLATIONS HAVE BEEN CORRECTED
7 AND ALL FEES AND FINES HAVE BEEN PAID.

8 (38) *SUBSECTION 114.2.1 SERVICE OF STOP WORK ORDERS.*

9 ADD NEW SUBSECTION 114.2.1 AFTER SUBSECTION 114.2 AS
10 FOLLOWS:

11 **SUBSECTION 114.2.1 SERVICE OF STOP WORK ORDERS.** A
12 STOP WORK ORDER SHALL BE SERVED IN ACCORDANCE WITH
13 THE SERVICE PROVISIONS SET FORTH IN SUBSECTION 113.2.

14 (39) *SUBSECTION 114.3 UNLAWFUL CONTINUANCE.*

15 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

16 **114.3 UNLAWFUL CONTINUANCE.** A PERSON SHALL NOT
17 PERFORM WORK AFTER SERVICE OF A STOP WORK ORDER
18 EXCEPT WORK THAT IS PERFORMED AT THE DIRECTION OF
19 THE BUILDING OFFICIAL TO ABATE A VIOLATION OF THIS
20 CODE OR AN UNSAFE CONDITION.

21 (40) *SUBSECTION 114.4 PROSECUTION FOR FAILING TO STOP WORK.*

22 ADD NEW SUBSECTION 114.4 AFTER SUBSECTION 114.3 AS
23 FOLLOWS:

24 **114.4 PROSECUTION FOR FAILING TO STOP WORK.** THE
25 BUILDING OFFICIAL IS AUTHORIZED TO REQUEST THE LEGAL
26 COUNSEL OF THE JURISDICTION TO INSTITUTE THE
27 APPROPRIATE PROCEEDING AT LAW OR IN EQUITY TO
28 RESTRAIN ANY WORK PERFORMED IN VIOLATION OF THIS
29 SECTION.

30 (41) *SUBSECTION 114.5 VIOLATION PENALTIES.*

1 ADD NEW SUBSECTION 114.5 AFTER SUBSECTION 114.4 AS
2 FOLLOWS:

3 **114.5 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
4 ADDITION TO AND CONCURRENT WITH THE REMEDIES SET
5 FORTH IN SUBSECTION 114.4, THE BUILDING OFFICIAL MAY
6 ENFORCE THIS SECTION PURSUANT TO TITLE 24, “CIVIL
7 PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION
8 OF THIS SECTION IS A CLASS B OFFENSE.

9 (42) *SUBSECTION 115.6 DISREGARDING NOTICE.*

10 ADD NEW SUBSECTION 115.6 AFTER SUBSECTION 115.5 AS
11 FOLLOWS:

12 **115.6 DISREGARDING NOTICE.** FAILURE TO COMPLY WITH A
13 NOTICE ISSUED UNDER THIS SECTION SHALL BE A VIOLATION
14 OF THIS CODE.

15 (43) *SUBSECTION 115.7 PROSECUTION.*

16 ADD NEW SUBSECTION 115.7 AFTER SUBSECTION 115.6 AS
17 FOLLOWS:

18 **115.7 PROSECUTION.** THE BUILDING OFFICIAL IS
19 AUTHORIZED TO REQUEST THE LEGAL COUNSEL OF THE
20 JURISDICTION TO INSTITUTE THE APPROPRIATE PROCEEDING
21 AT LAW OR IN EQUITY TO RESTRAIN ANY WORK PERFORMED
22 IN VIOLATION OF THIS SECTION.

23 (44) *SUBSECTION 115.8 VIOLATION PENALTIES.*

24 ADD NEW SUBSECTION 115.8 AFTER SUBSECTION 115.7 AS
25 FOLLOWS:

26 **115.8 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
27 ADDITION TO AND CONCURRENT WITH THE REMEDIES SET
28 FORTH IN SUBSECTION 115.6, THE BUILDING OFFICIAL MAY
29 ENFORCE THIS SECTION PURSUANT TO TITLE 24, “CIVIL
30 PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION
31 OF THIS SECTION IS A CLASS B OFFENSE.

1 (45) *SECTION 116 EMERGENCY MEASURES.*

2 ADD NEW SECTION 116 AFTER SECTION 115 AS FOLLOWS:

3 **SECTION 116 EMERGENCY MEASURES.**

4 **116.1 IMMINENT DANGER.** WHEN THE BUILDING OFFICIAL
5 DETERMINES THAT THERE IS AN EMERGENCY OR IMMINENT
6 DANGER OF FAILURE OR COLLAPSE OF A BUILDING,
7 STRUCTURE, OR ANY PART OF A BUILDING OR STRUCTURE
8 WHICH ENDANGERS LIFE, OR WHEN ANY BUILDING,
9 STRUCTURE, OR PART OF A BUILDING OR STRUCTURE HAS
10 FALLEN AND LIFE IS ENDANGERED BY THE OCCUPATION OF
11 THE BUILDING OR STRUCTURE, THE BUILDING OFFICIAL MAY
12 ORDER AN OCCUPANT TO VACATE THE BUILDING OR
13 STRUCTURE. THE BUILDING OFFICIAL SHALL POST A NOTICE
14 AT EACH ENTRANCE TO THE BUILDING OR STRUCTURE. THE
15 NOTICE SHALL STATE AS FOLLOWS: "THIS STRUCTURE IS
16 UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED BY THE
17 BUILDING OFFICIAL." EXCEPT FOR THE PURPOSE OF MAKING
18 A REQUIRED REPAIR OR DEMOLISHING THE BUILDING OR
19 STRUCTURE, A PERSON SHALL NOT ENTER THE BUILDING OR
20 STRUCTURE.

21 **116.2 TEMPORARY SAFEGUARDS.** WHEN THE BUILDING
22 OFFICIAL DETERMINES THAT THERE IS IMMINENT DANGER
23 DUE TO AN UNSAFE CONDITION, THE BUILDING OFFICIAL
24 MAY CAUSE THE NECESSARY WORK TO BE DONE TO MAKE
25 THE BUILDING OR STRUCTURE TEMPORARILY SAFE,
26 WHETHER OR NOT THE LEGAL PROCEDURE HEREIN
27 DESCRIBED HAS BEEN INSTITUTED.

28 **116.3 CLOSING STREETS.** WHEN NECESSARY FOR PUBLIC
29 SAFETY, THE BUILDING OFFICIAL MAY TEMPORARILY CLOSE
30 A BUILDING OR STRUCTURE AND CLOSE, OR ORDER THE
31 AUTHORITY HAVING JURISDICTION TO CLOSE, A SIDEWALK,

1 STREET, PUBLIC WAY, OR PLACE ADJACENT TO AN UNSAFE
2 BUILDING OR STRUCTURE AND MAY PROHIBIT THE USE OF A
3 SIDEWALK, STREET, PUBLIC WAY, OR PLACE ADJACENT TO
4 AN UNSAFE BUILDING OR STRUCTURE.

5 **116.4 EMERGENCY REPAIRS.** FOR THE PURPOSE OF THIS
6 SECTION, THE BUILDING OFFICIAL MAY EMPLOY THE
7 NECESSARY LABOR AND MATERIALS TO PERFORM THE
8 REQUIRED WORK AS EXPEDITIOUSLY AS POSSIBLE.

9 **116.5 COST OF EMERGENCY REPAIRS.** COSTS INCURRED IN
10 THE PERFORMANCE OF EMERGENCY WORK MAY BE PAID
11 FROM THE TREASURY OF THE JURISDICTION. THE LEGAL
12 COUNSEL OF THE JURISDICTION SHALL INSTITUTE
13 APPROPRIATE ACTION TO SEEK REIMBURSEMENT AGAINST
14 THE OWNER OF THE PREMISES WHERE THE UNSAFE BUILDING
15 OR STRUCTURE IS OR WAS LOCATED FOR THE COST OF THE
16 REPAIRS OR ACTIONS NECESSARY TO MAKE THE PREMISES
17 SAFE.

18 **116.6 UNSAFE EQUIPMENT.** WHEN THE BUILDING OFFICIAL
19 DETERMINES THAT EQUIPMENT IS UNSAFE, THE EQUIPMENT
20 SHALL NOT BE OPERATED AFTER THE DATE STATED IN THE
21 NOTICE UNLESS THE REQUIRED REPAIRS, REPLACEMENT, OR
22 CHANGES HAVE BEEN MADE AND THE EQUIPMENT HAS BEEN
23 APPROVED OR UNLESS AN EXTENSION OF TIME HAS BEEN
24 SECURED FROM THE BUILDING OFFICIAL IN WRITING.

25 **116.6.1. AUTHORITY TO SEAL EQUIPMENT.** IN THE CASE OF
26 AN EMERGENCY, THE BUILDING OFFICIAL MAY
27 IMMEDIATELY SEAL OUT OF SERVICE ANY UNSAFE DEVICE
28 OR EQUIPMENT REGULATED BY THIS CODE.

29 **116.6.2. UNLAWFUL TO REMOVE SEAL.** ANY DEVICE OR
30 EQUIPMENT SEALED OUT OF SERVICE BY THE BUILDING
31 OFFICIAL SHALL BE PLAINLY IDENTIFIED IN AN APPROVED

1 MANNER. THE IDENTIFICATION SHALL NOT BE TAMPERED
2 WITH, DEFACED, OR REMOVED EXCEPT BY THE BUILDING
3 OFFICIAL. THE IDENTIFICATION SHALL INDICATE THE
4 REASON FOR THE SEALING OF THE EQUIPMENT.

5 (46) *SECTION 117 DEMOLITION OF STRUCTURES.*

6 ADD NEW SECTION 117 AFTER SECTION 116 AS FOLLOWS:

7 **SECTION 117 DEMOLITION OF STRUCTURES.**

8 **117.1 SERVICE CONNECTIONS.** BEFORE A STRUCTURE IS
9 DEMOLISHED OR REMOVED, THE OWNER OR AGENT SHALL
10 NOTIFY ALL UTILITIES HAVING SERVICE CONNECTIONS
11 WITHIN THE STRUCTURE INCLUDING, BUT NOT LIMITED TO,
12 WATER, ELECTRIC, GAS, OR SEWER. A PERMIT TO DEMOLISH
13 OR REMOVE A STRUCTURE SHALL NOT BE ISSUED UNTIL A
14 RELEASE IS OBTAINED FROM THE UTILITIES. THE RELEASE
15 SHALL STATE THAT THE UTILITY'S RESPECTIVE SERVICE
16 CONNECTIONS AND APPURTENANT EQUIPMENT, SUCH AS
17 METERS AND REGULATORS, HAVE BEEN REMOVED, SEALED,
18 OR PLUGGED IN A SAFE MANNER.

19 **117.2 NOTICE TO ADJOINING OWNERS.** A PERMIT TO
20 REMOVE OR DEMOLISH A BUILDING OR STRUCTURE MAY BE
21 GRANTED IF WRITTEN NOTICE HAS BEEN GIVEN BY THE
22 APPLICANT TO THE OWNERS OF ADJOINING LOTS AND TO THE
23 OWNERS OF WIRED OR OTHER FACILITIES THAT MAY NEED
24 TO BE TEMPORARILY REMOVED DUE TO THE PROPOSED
25 WORK.

26 **117.3 LOT REGULATION.** WHENEVER A STRUCTURE IS
27 DEMOLISHED OR REMOVED, THE PREMISES SHALL BE
28 MAINTAINED FREE FROM ALL UNSAFE OR HAZARDOUS
29 CONDITIONS BY THE PROPER REGULATION OF THE LOT,
30 RESTORATION OF ESTABLISHED GRADES, AND THE ERECTION
31 OF THE NECESSARY RETAINING WALLS AND FENCES IN

- 1 ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33 OF THIS
2 CODE.
- 3 (47) *SUBSECTION 308.2 GROUP I-1.*
4 IN THE SECOND TO LAST SENTENCE, BETWEEN THE WORDS
5 “PERSONS” AND “SHALL”, INSERT THE FOLLOWING: “OR UP TO
6 8 PERSONS WHEN AN NFPA 13D SPRINKLER SYSTEM IS
7 INSTALLED.”
- 8 (48) *SUBSECTION 310.1 RESIDENTIAL GROUP R.*
9 ADD A SENTENCE TO THE END OF R-3 AS FOLLOWS:
10 AN R-3 GROUP SHALL INCLUDE UP TO 5 LODGERS OR
11 ~~BOARDERS~~, BOARDERS OR UP TO 8 LODGERS OR BOARDERS
12 WHEN AN NFPA 13D SPRINKLER SYSTEM IS INSTALLED.
- 13 (49) *SUBSECTION 501.2 PREMISES IDENTIFICATION.*
14 DELETE THE LAST SENTENCE THIS SUBSECTION.
- 15 (50) *SUBSECTION 705.1.1 LABELING OF FIRE WALLS.*
16 ADD NEW SUBSECTION 705.1.1 AFTER SUBSECTION 705.1 AS
17 FOLLOWS:
18 **705.1.1 LABELING OF FIRE WALLS.** ALL FIRE RATED
19 ASSEMBLIES SHALL BE STENCILED OR PAINTED ON BOTH
20 SIDES WITH THE PHRASE “FIRE RELATED WALL”. THE
21 LETTERS SHALL BE RED, 6 INCHES HIGH, AND GREATER THAN
22 3/4 INCH WIDE. THE PHRASE SHALL BE WRITTEN ONCE ON
23 EVERY 10 FEET OF WALL LOCATED ABOVE THE CEILING.
- 24 (51) *SUBSECTION 706.1.1 LABELING OF FIRE BARRIERS.*
25 ADD NEW SUBSECTION 706.1.1 AFTER SUBSECTION 706.1 AS
26 FOLLOWS:
27 **706.1.1 LABELING OF FIRE BARRIERS.** ALL FIRE RATED
28 ASSEMBLIES SHALL BE STENCILED OR PAINTED ON BOTH
29 SIDES WITH THE PHRASE “FIRE RELATED WALL”. THE
30 LETTERS SHALL BE RED, 6 INCHES HIGH, AND GREATER THAN

3/4 INCH WIDE. THE PHRASE SHALL BE WRITTEN ONCE ON
EVERY 10 FEET OF WALL LOCATED ABOVE THE CEILING.

(52) *SUBSECTION 709.1.1 LABELING OF SMOKE BARRIERS.*

ADD NEW SUBSECTION 709.1.1 AFTER SUBSECTION 709.1 AS
FOLLOWS:

709.1.1 LABELING OF SMOKE BARRIERS. ALL SMOKE
BARRIERS SHALL BE STENCILED OR PAINTED ON BOTH SIDES
WITH THE PHRASE “SMOKE BARRIER”. THE LETTERS SHALL
BE RED, 6 INCHES HIGH, GREATER THAN 3/4 INCH WIDE. THE
PHRASE SHALL BE WRITTEN ONCE ON EVERY 10 FEET ABOVE
THE CEILING.

(53) *SUBSECTION 903.2.1.1 GROUP A-1, 903.2.1.2 GROUP A-2, 903.2.1.3
GROUP A-3, AND 903.2.1.4 GROUP A-4.*

~~CHANGE ITEM NUMBER 2 OF THE ABOVE SUBSECTIONS TO~~
~~READ AS FOLLOWS: DELETE ITEM NUMBER 2 IN EACH OF THE~~
~~ABOVE SUBSECTIONS AND SUBSTITUTE THE FOLLOWING:~~
“THE FIRE AREA HAS A CALCULATED OCCUPANT LOAD OF 100
OR MORE”.

(54) *SUBSECTION 903.2.2 GROUP E.*

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

903.2.2 GROUP E. AN AUTOMATIC SPRINKLER SYSTEM SHALL
BE PROVIDED FOR ALL GROUP E OCCUPANCIES.

EXCEPTION: AN AUTOMATIC SPRINKLER SYSTEM IS NOT
REQUIRED IF A STUDENT OCCUPIED AREA HAS A DOOR
DIRECTLY TO THE OUTSIDE.

(55) *SUBSECTION 903.2.14 ADDITIONAL SUPPRESSION
REQUIREMENTS.*

ADD NEW SUBSECTION 903.2.14 AFTER SUBSECTION 903.2.13 AS
FOLLOWS:

903.2.14 ADDITIONAL SUPPRESSION REQUIREMENTS. A FIRE
SUPPRESSION SYSTEM SHALL BE PROVIDED FOR A

1 RESIDENTIAL OR NONRESIDENTIAL BUILDING OR STRUCTURE
2 AS FOLLOWS:

3 **903.2.14.1** IF AN ADDITION OR RENOVATION TO AN EXISTING
4 RESIDENTIAL BUILDING EXCEEDS 50% OF THE GROSS FLOOR
5 AREA, THE ENTIRE BUILDING SHALL BE PROTECTED BY AN
6 APPROVED FIRE PROTECTION SYSTEM.

7 **903.2.14.2** A NONRESIDENTIAL BUILDING, STRUCTURE, OR AN
8 ADDITION TO AN EXISTING BUILDING OR STRUCTURE FOR
9 WHICH THE INITIAL BUILDING PERMIT WAS ISSUED ON OR
10 AFTER JULY 1, 1992, SHALL BE PROTECTED BY AN AUTOMATIC
11 FIRE PROTECTION SPRINKLER SYSTEM.

12 **903.2.14.3 APPLICABLE CONDITIONS AND EXCEPTIONS:**

13 (I) EXCEPTION: A BUILDING OR STRUCTURE CONTAINING
14 LESS THAN 5,000 GROSS SQUARE FEET IN FLOOR AREA.
15 FOR THE PURPOSE OF THIS SECTION, THE GROSS
16 SQUARE FEET OF A BUILDING OR ADDITION SHALL BE
17 THE SUM TOTAL OF THE FLOOR AREA FOR ALL FLOOR
18 LEVELS, BASEMENTS, AND SUBBASEMENTS, MEASURED
19 FROM OUTSIDE WALLS, IRRESPECTIVE OF THE
20 EXISTENCE OF INTERIOR FIRE-RESISTIVE WALLS,
21 FLOORS, OR CEILINGS.

22 (II) FOR PURPOSES OF THIS SECTION, IF AN ADDITION TO
23 AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE
24 FEET IN FLOOR AREA, THE ADDITION SHALL COMPLY
25 WITH THIS SECTION.

26 (III) FOR PURPOSES OF THIS SECTION, IF AN ALTERATION TO
27 AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE
28 FEET IN FLOOR AREA, THE ALTERATION SHALL
29 COMPLY WITH THIS SECTION. IF THE ALTERATION
30 EXCEEDS 50% OF THE GROSS FLOOR AREA OF THE

1 BUILDING, THE ENTIRE BUILDING SHALL COMPLY WITH
2 THIS SECTION.

3 (IV) FOR PURPOSES OF THIS SECTION, IF AN ALTERATION
4 AND ADDITION OCCUR SIMULTANEOUSLY IN A
5 BUILDING, ARE CONTIGUOUS, AND THE TOTAL
6 AFFECTED FLOOR AREA EXCEEDS 5,000 GROSS SQUARE
7 FEET IN FLOOR AREA, THE ENTIRE ALTERATION AND
8 ADDITION AREAS SHALL COMPLY WITH THIS SECTION.

9 (V) THE CODE OFFICIAL MAY GRANT A WAIVER FROM THE
10 REQUIREMENTS OF THIS SECTION FOR AN UNUSUAL
11 BUILDING, STRUCTURE, OR OCCUPANCY.

12 (VI) A SPRINKLER SYSTEM REQUIRED BY THIS SECTION
13 SHALL BE INSTALLED IN ACCORDANCE WITH NFPA
14 STANDARD 13, 13D, OR 13R, AS APPLICABLE.

15 (56) *SUBSECTION 903.2.15 HOSE CONNECTIONS.*

16 ADD NEW SUBSECTION 903.2.15 AFTER SUBSECTION 903.2.14 AS
17 FOLLOWS:

18 **903.2.15 HOSE CONNECTIONS.** WHERE A FIRE SUPPRESSION
19 SYSTEM IS REQUIRED IN GROUP M, S-1 AND F-1 OCCUPANCIES,
20 A 2 1/2 INCH HOSE CONNECTION WITH 1 1/2 INCH REDUCERS
21 SHALL BE PROVIDED FOR FIRE DEPARTMENT USE. A HOSE
22 CONNECTION SHALL BE PLACED NEAR AN EXIT DOOR THAT
23 DOES NOT HAVE FIRE DEPARTMENT VEHICLE ACCESS WITHIN
24 100 FEET. TWO HOSE CONNECTIONS SHALL BE LOCATED NO
25 MORE THAN 200 FEET APART. AN EXIT DOOR SHALL BE
26 PLACARDED ON THE OUTSIDE TO INDICATE THE LOCATION
27 OF THE HOSE CONNECTION FOR FIRE DEPARTMENT ACCESS.

28 (57) *SUBSECTION 903.3.1.2.1 BALCONIES.*

29 DELETE THIS SUBSECTION.

30 (58) *SUBSECTION 905.11 PIPING DESIGN.*

1 ADD NEW SUBSECTION 905.11 AFTER SUBSECTION 905.10 AS
2 FOLLOWS:

3 **SUBSECTION 905.11 PIPING DESIGN.** THE RISER PIPING,
4 SUPPLY PIPING, AND WATER SERVICE PIPING SHALL BE SIZED
5 TO MAINTAIN A RESIDUAL PRESSURE OF AT LEAST 100 PSI AT
6 THE TOP MOST OUTLET OF EACH RISER WHILE FLOWING THE
7 MINIMUM QUANTITY OF WATER AS SPECIFIED IN NFPA 14.
8 THE PIPE SIZE SHALL BE BASED ON THE CAPACITY OF THE
9 AUTOMATIC WATER SUPPLY SYSTEM OR THE PIPE SIZE SHALL
10 BE BASED ON THE SUPPLY OF 1000 GPM AT 150 PSI AT THE
11 FIRE DEPARTMENT CONNECTION WHERE AN AUTOMATIC
12 WATER SUPPLY IS NEITHER REQUIRED NOR PROVIDED TO
13 MAINTAIN THE RESIDUAL PRESSURE OF 100 PSI. IF A FIRE
14 PUMP IS REQUIRED TO SUPPLY AN AUTOMATIC SPRINKLER
15 SYSTEM, THE PUMP SHALL BE SIZED IN ACCORDANCE WITH
16 THIS SECTION.

17 **EXCEPTION:** THE RESIDUAL PRESSURE OF 100 PSI IS NOT
18 REQUIRED IN A BUILDING EQUIPPED THROUGHOUT WITH AN
19 AUTOMATIC SPRINKLER SYSTEM IN ACCORDANCE WITH
20 SECTION 903.3.1.1 OR 903.3.1.2 AND WHERE THE HIGHEST
21 FLOOR LEVEL IS NOT MORE THAN 75 FEET ABOVE THE
22 LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.

23 (59) *SUBSECTION 910.2.1 GROUPS F-1 AND S-1.*

24 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

25 **910.2.1 GROUPS F-1, M AND S-1.** A BUILDING OR PORTION OF A
26 BUILDING USED AS A GROUP F-1, ~~M~~ M, OR S-1 OCCUPANCY
27 THAT HAS MORE THAN 50,000 SQUARE FEET.

28 **EXCEPTION 1:** A BUILDING WITH A FLOOR TO FINISHED
29 CEILING HEIGHT OF 20 FEET OR LESS IS EXEMPT FROM SMOKE
30 VENTING REQUIREMENTS.

EXCEPTION 2: A BUILDING WITH NO FINISHED CEILING THAT HAS A HEIGHT OF 20 FEET OR LESS AT ALL POINTS FROM THE FLOOR TO THE UNDERSIDE OF THE ROOF DECK ABOVE IS EXEMPT FROM SMOKE VENTING REQUIREMENTS.

(60) *SUBSECTION 910.3.1 VENT OPERATION.*

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

910.3.1. VENT OPERATION. SMOKE AND HEAT VENTS SHALL BE APPROVED AND LABELED AND SHALL BE CAPABLE OF BEING OPERATED BY APPROVED MANUAL MEANS.

(61) *SUBSECTION 1406.3 BALCONIES AND SIMILAR PROJECTIONS.*

AT THE END OF EXCEPTION NUMBER 3 DELETE “EXTENDED TO THESE AREAS” AND INSERT “PROVIDED IN ACCORDANCE WITH SECTION 903.3.1.2.”

(62) *SUBSECTION 1607.9 REDUCTION IN LIVE LOADS.*

ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

EXCEPTION: LIVE LOAD REDUCTION SHALL NOT APPLY TO A ROOF.

(63) *SUBSECTION 1607.11.2 MINIMUM ROOF LIVE LOADS.*

ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

EXCEPTION: A ROOF, EITHER FLAT, PITCHED, OR CURVED, SHALL BE DESIGNED FOR A MINIMUM LIVE LOAD OF 30 POUNDS PER SQUARE FOOT (PSF) OR FOR THE MINIMUM SNOW LOAD, WHICHEVER IS GREATER. IN A BUILDING OF GROUP U, THE ROOF SHALL BE DESIGNED FOR A MINIMUM LIVE LOAD OF 20 PSF.

(64) *SUBSECTION 1805.2.1.1 FROST LINE.*

ADD NEW SUBSECTION 1805.2.1.1 AFTER SUBSECTION 1805.2.1 AS FOLLOWS:

1805.2.1.1 FROST LINE. THE FROST LINE SHALL BE AT LEAST 30 INCHES BELOW FINISHED GRADE.

(65) *SUBSECTION 3001.2 REFERENCED STANDARDS.*

1 ADD THE FOLLOWING TO THE END OF THE SUBSECTION:
2 **EXCEPTION:** THE REQUIREMENTS OF THE STATE OF
3 MARYLAND ELEVATOR CODE, ASME A17.1, SAFETY CODE FOR
4 ELEVATORS AND ESCALATORS, AS ADOPTED BY THE
5 MARYLAND DEPARTMENT OF LABOR, LICENSING AND
6 REGULATION, SHALL APPLY TO AN ELEVATOR OR
7 CONVEYING SYSTEM.

8 (66) *SUBSECTION 3107.1 GENERAL.*

9 INSERT THE FOLLOWING AT THE END OF THIS SUBSECTION:
10 AND THE REQUIREMENTS OF THE HOWARD COUNTY SIGN
11 CODE, CODIFIED AT TITLE 3, SUBTITLE 5, OF THE HOWARD
12 COUNTY CODE.

13 (67) *SUBSECTION 3108.6 RADIO AND TELEVISION ANTENNAS.*

14 ADD NEW SUBSECTION 3108.6 AFTER SUBSECTION 3108.5 AS
15 FOLLOWS:

16 **3108.6 RADIO AND TELEVISION ANTENNAS.**

17 **3108.6.1 PERMITS NOT REQUIRED.** A BUILDING PERMIT IS
18 NOT REQUIRED FOR ROOF INSTALLATION OF AN ANTENNAL
19 STRUCTURE THAT IS LESS THAN 12 FEET IN HEIGHT AND USED
20 FOR PRIVATE RADIO OR TELEVISION RECEPTION. AN
21 ANTENNAL STRUCTURE SHALL NOT BE ERECTED SO AS TO
22 DAMAGE THE ROOF COVERING. WHEN REMOVED FROM THE
23 ROOF, THE ROOF COVERING SHALL BE REPAIRED TO
24 MAINTAIN WEATHER AND WATER TIGHTNESS. THE
25 INSTALLATION OF AN ANTENNAL STRUCTURE ON THE ROOF
26 OF A BUILDING SHALL NOT BE NEARER TO THE LOT LINE
27 THAN THE TOTAL HEIGHT OF THE ANTENNAL STRUCTURE
28 ABOVE THE ROOF. AN ANTENNAL STRUCTURE SHALL NOT BE
29 ERECTED NEAR ELECTRIC POWER LINES AND SHALL NOT
30 ENCROACH UPON ANY STREET OR OTHER PUBLIC SPACE.

1 **3108.6.2 PERMITS REQUIRED.** A ROOF-MOUNTED ANTENNAL
2 STRUCTURE MORE THAN 12 FEET IN HEIGHT ABOVE THE ROOF
3 SHALL BE APPROVED. THE APPLICATION SHALL BE
4 ACCOMPANIED BY A DETAILED DRAWING OF THE
5 STRUCTURE AND METHOD OF ANCHORAGE. ALL
6 CONNECTIONS TO THE ROOF STRUCTURE SHALL BE
7 PROPERLY FLASHED TO MAINTAIN WATER TIGHTNESS. THE
8 DESIGN AND MATERIALS OF CONSTRUCTION SHALL COMPLY
9 WITH THE REQUIREMENTS OF SECTION 3108.3 FOR
10 CHARACTER, QUALITY, AND MINIMUM DIMENSION.

11 **3108.6.3 DISH ANTENNAS.** A DISH ANTENNA IS AN ANTENNA
12 THAT CONSISTS OF A RADIATION ELEMENT WHICH
13 TRANSMITS OR RECEIVES A RADIATION SIGNAL GENERATED
14 AS ELECTRICAL, LIGHT, OR SOUND ENERGY. A DISH
15 ANTENNA IS SUPPORTED BY A STRUCTURE WITH OR
16 WITHOUT A REFLECTIVE COMPONENT TO THE RADIATING
17 DISH, USUALLY IN A CIRCULAR SHAPE WITH A PARABOLIC
18 CURVE DESIGN CONSTRUCTED OF A SOLID OR OPEN MESH
19 ~~SURFACE,~~ SURFACE.

20 **3108.6.3.1 PERMITS.** THE BUILDING OFFICIAL SHALL APPROVE
21 A DISH ANTENNAL STRUCTURE THAT IS GREATER THAN 3
22 FEET IN DIAMETER AND THAT IS ERECTED ON THE ROOF OF
23 OR ATTACHED TO A BUILDING OR STRUCTURE. A PERMIT IS
24 NOT REQUIRED FOR A DISH ANTENNA THAT IS LESS THAN 3
25 FEET IN DIAMETER AND THAT IS ERECTED AND MAINTAINED
26 ON THE ROOF OF A BUILDING.

27 **3108.6.3.2 STRUCTURAL PROVISIONS.** A DISH ANTENNA
28 LARGER THAN 3 FEET IN DIAMETER IS SUBJECT TO THE
29 STRUCTURAL PROVISIONS OF SECTIONS 1608.0, 1609.0 AND
30 3108.4. THE SNOW LOAD PROVISION OF SECTION 1608.0 SHALL

1 NOT APPLY WHERE THE ANTENNA HAS A HEATER TO MELT
2 FALLING SNOW.

3 (68) *SECTION 3110 FLOODPLAIN DISTRICT.*

4 ADD NEW SECTION 3110 AFTER SECTION 3109 AS FOLLOWS:

5 **SECTION 3110 FLOODPLAIN DISTRICT.**

6 **3110.1 GENERAL.** FOR THE PURPOSE OF THIS SECTION, THE
7 FLOODPLAIN DISTRICT IS DESCRIBED IN ~~SUBTITLE 7~~
8 ~~"FLOODPLAIN (FP) DISTRICT" OF TITLE 16 "PLANNING, ZONING~~
9 ~~AND SUBDIVISIONS AND LAND DEVELOPMENT~~
10 ~~REGULATIONS"~~ TITLE 16, SUBTITLE 7 OF THE HOWARD
11 COUNTY CODE.

12 **3110.2 WITHIN DESIGNATED FLOODPLAIN DISTRICT.**

13 THE CONSTRUCTION, RECONSTRUCTION, MODIFICATION,
14 ALTERATION, REPAIR, OR IMPROVEMENT OF A BUILDING,
15 MOBILE HOME, OR OTHER STRUCTURE LOCATED WITHIN A
16 DESIGNATED FLOODPLAIN DISTRICT SHALL BE DONE IN
17 ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN
18 SUBSECTIONS 3110.2 THROUGH 3110.7.

19 **3110.2.1 NEW CONSTRUCTION.** NEW RESIDENTIAL OR
20 NONRESIDENTIAL CONSTRUCTION SHALL NOT OCCUR
21 WITHIN A DESIGNATED FLOODPLAIN DISTRICT.

22 **EXCEPTION #1:** EXCEPT FOR MOBILE HOMES, AN EXISTING
23 NONCONFORMING STRUCTURE LOCATED IN A DESIGNATED
24 FLOODPLAIN DISTRICT WHICH IS DESTROYED BY FIRE,
25 FLOOD, OR OTHER CALAMITY MAY BE RESTORED TO THE
26 SAME SIZE AND DIMENSION AND IN THE SAME LOCATION ON
27 THE SAME LOT AS THE DESTROYED STRUCTURE, PROVIDED
28 CONSTRUCTION BEGINS WITHIN 12 MONTHS OF THE DATE OF
29 DESTRUCTION. CONSTRUCTION SHALL COMPLY WITH THE
30 REQUIREMENTS OF SUBSECTION 3107.4 FOR NEW
31 CONSTRUCTION ADJACENT TO A FLOODPLAIN DISTRICT

(ELEVATING OR FLOODPROOFING). VARIANCES TO THE REQUIREMENTS SET FORTH IN SUBSECTION 3107.4 MAY BE GRANTED BY THE BUILDING OFFICIAL IN ACCORDANCE WITH FEMA REGULATIONS, SECTION 60.6(A)(1), (3)(4)(5) AND (6). THE INTENTIONAL DEMOLITION AND RECONSTRUCTION OF ANY NONCONFORMING STRUCTURE IS PROHIBITED BY THIS CODE.

EXCEPTION #2: TRANSPORTATION NETWORKS, UTILITY INSTALLATIONS, PIERS, OPEN PIER STRUCTURES, AND OPEN DECKS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. STREETS, SIDEWALKS, PATHWAYS, AND UTILITY SYSTEMS IN ACCORDANCE WITH THE HOWARD COUNTY DESIGN MANUAL AND ALL OTHER APPLICABLE CODES, ORDINANCES, RESOLUTIONS AND REGULATIONS.

3110.2.2 ADDITIONS AND ENLARGEMENTS. AN EXISTING NONCONFORMING STRUCTURE LOCATED IN THE FLOODPLAIN DISTRICT SHALL NOT BE EXPANDED OR ENLARGED.

3110.2.3 MODIFICATIONS, ALTERATIONS, AND REPAIRS. A MODIFICATION, ALTERATION, REPAIR, OR IMPROVEMENT THAT COSTS LESS THAN 50% OF THE FAIR MARKET VALUE OF THE STRUCTURE MAY BE MADE TO AN EXISTING NONCONFORMING STRUCTURE LOCATED IN A DESIGNATED FLOODPLAIN DISTRICT WITHOUT FLOODPROOFING OR ELEVATING IF THE OWNER DEMONSTRATES THROUGH A MARYLAND STATE REGISTERED PROFESSIONAL ENGINEER THAT FLOODPROOFING OR ELEVATING IS IMPRACTICAL.

3110.3 SUBSTANTIAL IMPROVEMENTS WITHIN THE FLOODPLAIN DISTRICT. SUBSTANTIAL IMPROVEMENTS WITHIN THE FLOODPLAIN DISTRICT SHALL MEET THE STANDARDS SET FORTH IN THIS SUBSECTION.

1 **3110.3.1. RESIDENTIAL.** THE LOWEST FLOOR, INCLUDING A
2 BASEMENT, OF A SUBSTANTIAL IMPROVEMENT TO AN
3 EXISTING NONCONFORMING RESIDENTIAL STRUCTURE
4 LOCATED WITHIN A DESIGNATED FLOODPLAIN DISTRICT
5 SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE THE
6 100-YEAR FLOOD ELEVATION.

7 **3110.3.2. NONRESIDENTIAL.** THE LOWEST FLOOR, INCLUDING
8 A BASEMENT, OF A SUBSTANTIAL IMPROVEMENT TO AN
9 EXISTING NONCONFORMING ~~NON-RESIDENTIAL~~
10 NONRESIDENTIAL STRUCTURE SHALL BE ELEVATED TO AT
11 LEAST 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION OR
12 SHALL BE DESIGNED SO THAT ANY AREA OF THE BUILDING
13 WHICH IS LOWER THAN 2 FEET ABOVE THE 100-YEAR FLOOD
14 ELEVATION AS DETERMINED OR APPROVED BY THE
15 DEPARTMENT OF PUBLIC WORKS, IS WATERTIGHT WITH
16 WALLS SUBSTANTIALLY IMPERMEABLE TO THE PASSAGE OF
17 WATER AND WITH STRUCTURAL COMPONENTS HAVING THE
18 CAPABILITY OF WITHSTANDING APPLICABLE HYDROSTATIC,
19 HYDRODYNAMIC, IMPACT, ~~SOIL~~ SOIL, AND, WHEN
20 APPLICABLE, HURRICANE AND TIDAL WAVE LOADING
21 CONDITIONS. THE WATER TIGHTNESS AND STRUCTURAL
22 CAPABILITIES SHALL BE THOSE DESCRIBED IN
23 FLOODPROOFING REGULATIONS PUBLISHED BY THE OFFICE
24 OF THE CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON, D.C.,
25 MARCH 1992.

26 **3110.4 CONSTRUCTION ADJACENT TO A FLOODPLAIN**
27 **DISTRICT.** WHERE A BUILDING IS LOCATED ADJACENT TO A
28 DESIGNATED FLOODPLAIN DISTRICT, DEFINED IN ~~SECTION~~
29 TITLE 16, SUBTITLE 7 16.700 OF THE HOWARD COUNTY CODE,
30 THE FOLLOWING SUBSECTIONS SHALL APPLY:

1 **3110.4.1 RESIDENTIAL.** IN NEW CONSTRUCTION OF A
2 RESIDENTIAL BUILDING OR AN ADDITION OR SUBSTANTIAL
3 IMPROVEMENT TO A RESIDENTIAL BUILDING, ALL FLOORS,
4 INCLUDING THOSE OF BASEMENT AND STORAGE AREAS,
5 SHALL BE ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
6 FLOOD LEVEL.

7 **3110.4.2 NONRESIDENTIAL.** IN NEW CONSTRUCTION OF A
8 NONRESIDENTIAL BUILDING OR AN ADDITION, OR
9 SUBSTANTIAL IMPROVEMENT TO A NONRESIDENTIAL
10 BUILDING, EITHER:

- 11 (I) ALL FLOORS (INCLUDING THOSE OF BASEMENT AND
12 STORAGE AREAS) SHALL BE ELEVATED AT LEAST 2
13 FEET ABOVE THE 100-YEAR FLOOD LEVEL AS
14 DETERMINED OR APPROVED BY THE DEPARTMENT OF
15 PUBLIC WORKS; OR
- 16 (II) THE CONSTRUCTION OR IMPROVEMENT (INCLUDING
17 ATTENDANT UTILITY OR SANITARY FACILITIES) SHALL
18 BE DESIGNED SO THAT ANY AREA OF THE BUILDING
19 WHICH IS LOWER THAN 2 FEET ABOVE THE 100-YEAR
20 FLOOD ELEVATION AS DETERMINED BY THE
21 DEPARTMENT OF PUBLIC WORKS, IS WATERTIGHT WITH
22 WALLS SUBSTANTIALLY IMPERMEABLE TO THE
23 PASSAGE OF WATER AND WITH STRUCTURAL
24 COMPONENTS HAVING THE CAPABILITY OF
25 WITHSTANDING APPLICABLE HYDROSTATIC,
26 HYDRODYNAMIC, IMPACT, SOIL, AND, WHEN
27 APPLICABLE, HURRICANE AND TIDAL WAVE LOADING
28 CONDITIONS. ELECTRICAL, HEATING, VENTILATION,
29 PLUMBING, ~~AND AIR CONDITIONING EQUIPMENT~~
30 EQUIPMENT, AND OTHER SERVICE FACILITIES
31 ASSOCIATED WITH THE BUILDINGS SHALL BE

DESIGNED OR LOCATED TO PREVENT WATER FROM
ENTERING OR ACCUMULATING WITHIN THE
COMPONENTS DURING FLOOD CONDITIONS. THE
WATER TIGHTNESS AND STRUCTURAL CAPABILITIES
SHALL BE THOSE DESCRIBED IN FLOODPROOFING
REGULATIONS, PUBLISHED BY THE OFFICE OF THE
CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON, D.C.,
MARCH 1992.

3110.4.3. MODIFICATIONS, ALTERATIONS OR REPAIRS. A
MODIFICATION, ALTERATION, REPAIR, OR IMPROVEMENT
THAT COSTS LESS THAN 50% OF THE FAIR MARKET VALUE OF
THE STRUCTURE MAY BE MADE TO AN EXISTING
NONCONFORMING STRUCTURE LOCATED ADJACENT TO A
DESIGNATED FLOODPLAIN DISTRICT WITHOUT
FLOODPROOFING OR ELEVATING.

3110.5 SUBSTANTIAL IMPROVEMENTS.

3110.5.1 RESIDENTIAL. THE LOWEST FLOOR, INCLUDING A
BASEMENT, OF A SUBSTANTIAL IMPROVEMENT TO AN
EXISTING NONCONFORMING RESIDENTIAL STRUCTURE
LOCATED ADJACENT TO A DESIGNATED FLOODPLAIN
DISTRICT SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE
THE 100-YEAR FLOOD ELEVATION.

3110.5.2 NONRESIDENTIAL. THE LOWEST FLOOR, INCLUDING
A BASEMENT, OF A SUBSTANTIAL IMPROVEMENT TO AN
EXISTING NONCONFORMING NONRESIDENTIAL STRUCTURE
LOCATED ADJACENT TO A DESIGNATED FLOODPLAIN
DISTRICT SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE
THE 100-YEAR FLOOD ELEVATION OR, SHALL BE DESIGNED SO
THAT ANY AREA OF THE BUILDING WHICH IS LOWER THAN 2
FEET ABOVE THE 100-YEAR FLOOD ELEVATION AS
DETERMINED OR APPROVED BY THE DEPARTMENT OF PUBLIC

1 WORKS, IS WATERTIGHT WITH WALLS SUBSTANTIALLY
2 IMPERMEABLE TO THE PASSAGE OF WATER AND WITH
3 STRUCTURAL COMPONENTS HAVING THE CAPABILITY OF
4 WITHSTANDING APPLICABLE HYDROSTATIC,
5 HYDRODYNAMIC IMPACT, ~~SOIL~~ SOIL, ~~AND~~ AND, WHEN
6 APPLICABLE, HURRICANE AND TIDAL WAVE LOADING
7 CONDITIONS. ELECTRICAL, HEATING, VENTILATION,
8 ~~PLUMBING~~ PLUMBING, ~~AND~~ AIR CONDITIONING ~~EQUIPMENT~~
9 EQUIPMENT, AND OTHER SERVICE FACILITIES ASSOCIATED
10 WITH THE BUILDINGS SHALL BE DESIGNED OR LOCATED SO
11 AS TO PREVENT WATER FROM ENTERING OR ACCUMULATING
12 WITHIN THE COMPONENTS DURING CONDITIONS OF
13 FLOODING. THE WATER TIGHTNESS AND STRUCTURAL
14 CAPABILITIES SHALL BE THOSE DESCRIBED IN
15 FLOODPROOFING REGULATIONS PUBLISHED BY THE OFFICE
16 OF THE CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON, D.C.,
17 MARCH 1992.

18 **3110.6 VERIFICATION.** FOR THE PURPOSE OF VERIFYING
19 COMPLIANCE WITH SECTION 3107.0, THE FOLLOWING SHALL
20 APPLY:

- 21 (I) WHEN FLOODPROOFING BY MEANS OTHER THAN
22 ELEVATING, A DOCUMENT STATING THAT THE
23 PROPOSED CONSTRUCTION HAS BEEN ADEQUATELY
24 DESIGNED TO WITHSTAND THE LOADING CONDITIONS
25 STATED IN SUBSECTION 3107.4.2(B) SHALL BE CERTIFIED
26 BY A PROFESSIONAL ENGINEER OR ARCHITECT
27 CURRENTLY REGISTERED IN MARYLAND. THIS
28 DOCUMENT SHALL BE REQUIRED PRIOR TO ISSUANCE
29 OF A BUILDING PERMIT.
- 30 (II) WHEN FLOODPROOFING BY ELEVATING IS UTILIZED,
31 THE OWNER SHALL AGREE, IN WRITING, TO PROVIDE A

FEMA ELEVATION CERTIFICATE FORM #81-31
COMPLETED BY A PROFESSIONAL ENGINEER OR
PROFESSIONAL LAND SURVEYOR CURRENTLY
REGISTERED IN MARYLAND, CERTIFYING THAT THE AS-
BUILT LOWEST FLOOR OF THE STRUCTURE IS
ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
FLOODPLAIN ELEVATION. THE AGREEMENT SHALL BE
MADE PRIOR TO THE ISSUANCE OF THE BUILDING
PERMIT AND THE COMPLETED CERTIFICATION SHALL
BE SUBMITTED PRIOR TO FOUNDATION APPROVAL BY
THE HOWARD COUNTY BUILDING INSPECTOR.

(III) FAIR MARKET VALUE OF A STRUCTURE SHALL BE
ESTABLISHED BY A RECENT (WITHIN 6 MONTHS)
FORMAL APPRAISAL FROM A QUALIFIED APPRAISER.
FAIR MARKET VALUE SHALL NOT INCLUDE LAND
VALUE.

(IV) COST TO REPAIR OR IMPROVE A STRUCTURE SHALL BE
ESTABLISHED BY RECENT (WITHIN 6 MONTHS)
WRITTEN ESTIMATE FROM A LICENSED CONTRACTOR
AND SHALL INCLUDE THE COMPLETE COST OF REPAIR
OR IMPROVEMENT TO THE POINT OF USE OR
OCCUPANCY.

3110.7 DEFINITIONS.

ACCESSORY STRUCTURE. A DETACHED STRUCTURE ON THE
SAME PARCEL OR PROPERTY AS THE PRINCIPAL STRUCTURE
THAT ~~AS~~ HAS A USE WHICH IS INCIDENTAL TO THE PRINCIPAL
STRUCTURE INCLUDING, BUT NOT LIMITED TO A SHED OR
DETACHED GARAGE.

BASEMENT. AN ENCLOSED AREA WHICH IS BELOW GRADE
ON ALL SIDES.

1 **FLOODPLAIN DISTRICT.** ALL AREAS SUBJECT TO
2 INUNDATION BY WATERS OF THE 100-YEAR FLOOD,
3 DESIGNATED AS "FP DISTRICT" AND SHOWN AS AN OVERLAY
4 ON THE ZONING MAP. THE SOURCE OF THIS DELINEATION
5 SHALL BE THE TYPE 15 FLOOD INSURANCE STUDY FOR
6 HOWARD COUNTY, MARYLAND, BY THE U.S. DEPARTMENT OF
7 HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE
8 ADMINISTRATION, OR ANY 100-YEAR ULTIMATE FLOODPLAIN
9 DELINEATION DETERMINED BY THE DEPARTMENT OF PUBLIC
10 WORKS.

11 **FLOODPROOFING.** ANY COMBINATION OF ADDITIONS,
12 CHANGES, OR ADJUSTMENTS TO A STRUCTURE WHICH
13 REDUCE OR ELIMINATE FLOOD DAMAGE TO REAL ESTATE OR
14 IMPROVED REAL PROPERTY, WATER AND SANITARY
15 FACILITIES, OR STRUCTURES AND THEIR CONTENTS.

16 **HISTORIC STRUCTURE.** A BUILDING LISTED ON THE
17 NATIONAL REGISTER OF HISTORIC PLACES, A STATE
18 INVENTORY OF HISTORIC PLACES, OR AN INVENTORY OF
19 HISTORIC STRUCTURES ADOPTED BY RESOLUTION OF THE
20 COUNTY COUNCIL.

21 **LOWEST FLOOR.** THE LOWEST FLOOR OR THE LOWEST
22 ENCLOSED AREA, INCLUDING A BASEMENT. LOWEST FLOOR
23 DOES NOT INCLUDE AN UNFINISHED OR FLOOD RESISTANT
24 ~~ENCLOSURE,~~ ENCLOSURE USED SOLELY FOR PARKING
25 ~~VEHICLES, VEHICLES, OR A BUILDING ACCESS,~~ ACCESS, OR
26 STORAGE IN AN AREA OTHER THAN A ~~BASEMENT AREA;~~
27 ~~PROVIDED, THAT THE ENCLOSURE IS NOT~~ BASEMENT AREA.
28 THE ENCLOSURE SHALL NOT BE BUILT SO AS TO RENDER THE
29 STRUCTURE IN VIOLATION OF THE APPLICABLE NON-
30 ELEVATION DESIGN REQUIREMENTS OF SUBSECTIONS
31 3107.4.2 AND 3107.6 OF THIS CODE.

1 **MOBILE HOME.** A TRANSPORTABLE RESIDENTIAL
2 STRUCTURE THAT IS BUILT ON A PERMANENT CHASIS AND IS
3 DESIGNED FOR USE WITH OR WITHOUT A PERMANENT
4 FOUNDATION WHEN CONNECTED TO THE REQUIRED
5 UTILITIES.

6 **NEW CONSTRUCTION.** A STRUCTURE FOR WHICH THE
7 APPLICATION FOR A BUILDING PERMIT WAS RECEIVED BY
8 THE DEPARTMENT ON OR AFTER THE DATE OF ADOPTION OF
9 THIS SUBSECTION, INCLUDING ANY SUBSEQUENT
10 IMPROVEMENTS. THE REPAIR OR REPLACEMENT OF A MOBILE
11 HOME BECAUSE OF SUBSTANTIAL DAMAGE IS CONSIDERED
12 TO BE NEW CONSTRUCTION.

13 **SUBSTANTIAL DAMAGE:** DAMAGE OF ANY ORIGIN
14 SUSTAINED BY A STRUCTURE WHERE THE COST OF
15 RETURNING THE STRUCTURE TO ITS CONDITION PRIOR TO
16 DAMAGE WOULD EQUAL OR EXCEED 50% OF ITS MARKET
17 VALUE BEFORE THE DAMAGE OCCURRED.

18 **SUBSTANTIAL IMPROVEMENT.** THE REPAIR,
19 RECONSTRUCTION, OR IMPROVEMENT OF A BUILDING OR
20 STRUCTURE, THE COST OF WHICH IS EQUAL TO OR GREATER
21 THAN 50% OF THE MARKET VALUE OF THE BUILDING OR
22 STRUCTURE PRIOR TO DAMAGE, IMPROVEMENT, OR REPAIR.
23 FOR THE PURPOSE OF THIS DEFINITION, "SUBSTANTIAL
24 IMPROVEMENT" OCCURS WHEN THE FIRST ALTERATION OF A
25 WALL, CEILING, FLOOR, OR OTHER STRUCTURAL PART OF THE
26 BUILDING BEGINS, WHETHER OR NOT THAT ALTERATION
27 AFFECTS THE EXTERNAL DIMENSIONS OF THE BUILDING OR
28 STRUCTURE. THE TERM DOES NOT INCLUDE ANY PROJECT
29 FOR IMPROVING A BUILDING OR STRUCTURE TO COMPLY
30 WITH EXISTING STATE OR LOCAL HEALTH, SANITARY, OR
31 HOUSING CODE REQUIREMENTS WHICH ARE NECESSARY TO

1 ASSURE SAFE LIVING CONDITIONS. THIS TERM DOES NOT
2 INCLUDE AN ALTERATION OF A HISTORIC STRUCTURE.

3 **VARIANCE.** THE GRANT OF RELIEF FROM A TERM OF THIS
4 SUBTITLE.

5 **3110.8 VARIANCES AND WAIVERS.** A VARIANCE OR WAIVER
6 OF THIS SECTION SHALL NOT BE ALLOWED.

7 (69) *SUBSECTION 3306.10 ACCESSIBILITY DURING CONSTRUCTION*
8 *OPERATIONS.* ADD NEW SUBSECTION 3306.10 AFTER
9 SUBSECTION 3306.9 AS FOLLOWS:

10 **3306.10 ACCESSIBILITY DURING CONSTRUCTION**

11 **OPERATIONS.** PRIOR TO AND DURING CONSTRUCTION, THE
12 CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES
13 A MINIMUM 12' FOOT WIDE VEHICULAR ACCESS ROADWAY
14 THAT WILL ALLOW THE UNIMPEDED MOVEMENT OF FIRE OR
15 EMERGENCY RESCUE VEHICLES FROM AN IMPROVED STREET
16 TO WITHIN 200 FEET OF THE MOST REMOTE BUILDING UNDER
17 CONSTRUCTION ON THE SITE. THE VEHICULAR ACCESS
18 ROADWAY SURFACE SHALL BE CRUSHER RUN, STONE BASE,
19 BLACKTOP, OR OTHER SUITABLE COMPACTED SURFACE
20 MATERIAL APPROVED BY THE CODE OFFICIAL.

21 (70) *SECTION 3313 CONSTRUCTION SITE GRADING.*

22 ADD NEW SECTION 3313 AFTER SECTION 3312 AS FOLLOWS:

23 **SECTION 3313 CONSTRUCTION SITE GRADING.**

24 **3313.1 LOT IMPROVEMENTS.** A LOT IMPROVEMENT SHALL
25 PROVIDE:

26 (I) SUITABLE ACCESS FROM AN ABUTTING STREET TO A
27 DWELLING OR ACCESSORY BUILDING;

28 (II) GRADING WHICH WILL DIVERT WATER AWAY FROM A
29 BUILDING AND PREVENT STANDING WATER AND SOIL
30 SATURATION DETRIMENTAL TO A STRUCTURE OR LOT
31 USE;

- 1 (III) DISPOSAL OF WATER FROM A LOT, EXCEPT AS
2 NECESSARY FOR CONTROLLED IRRIGATION;
3 (IV) GRADES FOR SAFE AND CONVENIENT ACCESS TO AND
4 AROUND A BUILDING OR LOT FOR USE AND
5 MAINTENANCE; AND
6 (V) GRADES THAT DO NOT ADVERSELY AFFECT AN
7 ADJOINING LOT.

8 **3313.2 MINIMUM GRADIENT.** THE MINIMUM GRADIENT FOR
9 CONCRETE OR OTHER IMPERVIOUS SURFACES SHALL BE 1/16
10 INCH PER FOOT (1/2%). THE MINIMUM GRADIENT FOR
11 PERVIOUS SURFACES SHALL BE 1/4 INCH PER FOOT (2%).

12 **3313.3 MAXIMUM GRADIENT.** EXCEPT WHERE RESTRICTED
13 BY A PROPERTY LINE, THE MAXIMUM GRADIENT SHALL BE 2-
14 1/2 INCHES (21%) FOR A MINIMUM OF 4 FEET AWAY FROM A
15 BUILDING WALL. A SLOPE NOT EXCEEDING 30 INCHES SHALL
16 BE 1-1/2 TO 1. A SLOPE EXCEEDING 30 INCHES SHALL BE 2 TO
17 1. THE TOP AND BOTTOM OF BANKS AT THE SWALES SHALL
18 BE ROUNDED FOR CONVENIENT MAINTENANCE.

19 **3313.4 FINISH GRADING.** FOR AN AREA WHERE
20 INSTALLATION OF LAWN OR PLANTING IS REQUIRED, THE
21 SURFACE LAYER OF THE SOIL SHALL BE WORKABLE, FREE OF
22 DEBRIS AND LOT FINISHED GRADED TO COMPLY WITH
23 GRADING DESIGN. FINISH GRADING SHALL BE DONE WHEN
24 THE GROUND IS FROST-FREE AND THE WEATHER IS
25 FAVORABLE. LAWN COVER SHALL BE PROVIDED TO
26 PREVENT EROSION OF SWALES AND SLOPES.

27 (71) *SECTION 3314 BURIAL OF CONSTRUCTION DEBRIS.*

28 ADD NEW SECTION 3314 AFTER SECTION 3313 AS FOLLOWS:

29 **SECTION 3314 BURIAL OF CONSTRUCTION DEBRIS.**

30 **3314.1 WHEN PROHIBITED OR PERMITTED.** BURIAL OF
31 DEBRIS ON A RESIDENTIAL LOT EQUAL TO OR LESS THAN

1 HALF AN ACRE IS PROHIBITED. BURIAL OF ORGANIC OR
2 INORGANIC DEBRIS ON A RESIDENTIAL LOT GREATER THAN
3 HALF AN ACRE MAY BE PERMITTED BY THE BUILDING
4 OFFICIAL PROVIDED THAT THE DEBRIS IS GENERATED ON-
5 SITE. BURIAL SHALL NOT BE LOCATED IN A PROPOSED
6 DRIVEWAY OR PARKING AREA. BURIAL SHALL NOT BE
7 LOCATED CLOSER THAN 50 FEET FROM AN EXISTING OR
8 PROPOSED BUILDING.

9 (72) *SUBSECTION 3401.1 SCOPE.*

10 ADD THE FOLLOWING EXCEPTION TO SUBSECTION 3401.1:
11 **EXCEPTION:** THE MARYLAND BUILDING REHABILITATION
12 CODE, CODIFIED AT TITLE 12, SUBTITLE 10, OF THE PUBLIC
13 SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND
14 SHALL GOVERN THE REHABILITATION OF EXISTING
15 BUILDINGS IN HOWARD COUNTY.

16
17 **SEC. 3.102. AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL**
18 **CODE, 2003 EDITION.**

19 (A) *IN GENERAL.*

- 20 (1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS
21 THE INTERNATIONAL RESIDENTIAL CODE, 2003 EDITION.
- 22 (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL"
23 MEANS THE DIRECTOR OF THE DEPARTMENT OF
24 INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S
25 AUTHORIZED DESIGNEE.
- 26 (3) WHERE THE NAME OF THE MUNICIPALITY IS TO BE
27 INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD
28 COUNTY, MARYLAND".
- 29 (4) AS USED IN THIS CODE, THE TERM “DEPARTMENT OF
30 BUILDING SAFETY” MEANS THE DEPARTMENT OF
31 INSPECTIONS, LICENSES AND PERMITS.

- 1 (B) LOCAL AMENDMENTS. THE FOLLOWING AMENDMENTS MODIFY
2 CERTAIN PROVISIONS OF THE ADOPTED CODE:
- 3 (1) *SUBSECTION R101.2 SCOPE.*
- 4 (I) IN THE EXCEPTION MAKE THE FOLLOWING CHANGES:
- 5 A. DELETE THE PHRASE “AND CHANGE OF
6 OCCUPANCY” AND INSERT “OR CHANGE OF
7 OCCUPANCY”
- 8 B. DELETE THE PHRASE “THE INTERNATIONAL
9 EXISTING BUILDING CODE” AND INSERT “THE
10 MARYLAND BUILDING REHABILITATION CODE.”
- 11 (II) ADD THE FOLLOWING AT THE END OF THE
12 SUBSECTION:
- 13 **R101.2.1 SUBDIVISION AND LAND DEVELOPMENT.** IF A
14 SITE DEVELOPMENT PLAN IS REQUIRED BY THE
15 HOWARD COUNTY SUBDIVISION REGULATIONS, A
16 PERMIT SHALL NOT BE ISSUED UNTIL THE PERMIT IS IN
17 ACCORDANCE WITH THE APPROVED SITE
18 DEVELOPMENT PLAN.
- 19 **R101.2.2 SITE WORK AND SAFEGUARDS.** THE
20 REQUIREMENTS OF THE HOWARD COUNTY BUILDING
21 CODE, CHAPTER 33, SHALL APPLY FOR SITE WORK AND
22 SAFEGUARDS DURING CONSTRUCTION.
- 23 **R101.2.3 SWIMMING POOLS AND BARRIER**
24 **REQUIREMENTS.** THE REQUIREMENTS OF APPENDIX G
25 SHALL APPLY FOR THE DESIGN AND INSTALLATION OF
26 A SWIMMING POOL AND BARRIER.
- 27 **EXCEPTION:** ALTERNATIVE DEVICES. A NATURAL
28 BARRIER, POOL COVER, OR OTHER PROTECTIVE DEVICE
29 APPROVED BY THE BUILDING OFFICIAL SHALL BE AN
30 ACCEPTABLE ENCLOSURE IF THE DEGREE OF
31 PROTECTION AFFORDED BY THE SUBSTITUTED DEVICE

OR STRUCTURE IS GREATER THAN THE PROTECTION
AFFORDED BY THE ENCLOSURE, GATE, AND LATCH
DESCRIBED HEREIN.

(2) *SECTIONS R103 THROUGH R114.*

DELETE THESE SECTIONS AND SUBSTITUTE THE FOLLOWING:

R101.2.4 ADMINISTRATION. SECTIONS 103 THROUGH 117 OF
THE INTERNATIONAL BUILDING CODE, 2003 EDITION, AS
~~ADOPTED IN SECTION 3.100 OF THIS SUBTITLE AND AS~~
~~AMENDED IN SECTION 3.101 OF THIS SUBTITLE, SHALL~~
ADOPTED IN THIS SUBTITLE SHALL GOVERN THE
ADMINISTRATION AND ENFORCEMENT OF THIS CODE.

(3) *SUBSECTION R102.2 OTHER LAWS.*

ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

R102.2.1 RESIDENTIAL SPRINKLER. A RESIDENTIAL
SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH
SECTION 903.3.1.3, INTERNATIONAL BUILDING CODE, 2003
EDITION, SHALL BE ALLOWED FOR A TOWNHOUSE SPRINKLER
SYSTEM REQUIRED BY THE FIRE LAWS CONTAINED IN THE
PUBLIC SAFETY ARTICLE OF THE MARYLAND ANNOTATED
CODE.

R102.2.2 INDUSTRIALIZED (MODULAR) CONSTRUCTION.
THE CONSTRUCTION STANDARDS OF THE INDUSTRIALIZED
BUILDING AND MANUFACTURED HOMES ACT, CODIFIED AT
~~SUBTITLE 3, TITLE 12~~ TITLE 12, SUBTITLE 3, OF THE PUBLIC
SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND
SHALL APPLY TO AN INDUSTRIALIZED BUILDING.

EXCEPTION: THE HOWARD COUNTY FIRE PREVENTION CODE,
SUBDIVISION AND LAND DEVELOPMENT REGULATIONS,
ZONING REGULATIONS, AND SEDIMENT AND EROSION
CONTROL REGULATIONS APPLY TO THE CONSTRUCTION OF
AN INDUSTRIAL (MODULAR) BUILDING. THE REQUIREMENTS

1 OF THIS CODE SHALL APPLY TO THE FOUNDATION AND SITE
2 WORK ASSOCIATED WITH THE INSTALLATION OF AN
3 INDUSTRIALIZED (MODULAR) BUILDING.

4 **R102.2.3 MANUFACTURED HOUSING.** THE CONSTRUCTION
5 STANDARDS OF THE FEDERAL MOBILE HOME ACT AND THE
6 INDUSTRIALIZED BUILDING AND MANUFACTURED HOMES
7 ACT, CODIFIED AT ~~SUBTITLE 3, TITLE 12~~ TITLE 12, SUBTITLE 3,
8 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE
9 OF MARYLAND, SHALL APPLY.

10 **EXCEPTION:** THE HOWARD COUNTY FIRE PREVENTION CODE,
11 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS,
12 ZONING REGULATIONS, AND SEDIMENT AND EROSION
13 CONTROL REGULATIONS APPLY TO THE CONSTRUCTION OF A
14 MANUFACTURED HOME. THE REQUIREMENTS OF APPENDIX
15 E, FOR DESIGN AND INSTALLATION OF FOOTINGS,
16 FOUNDATIONS, SKIRTING AND PERIMETER ENCLOSURE,
17 EXITS, PIERS, AND GROUND ANCHORS SHALL APPLY FOR THE
18 SITING OF A MANUFACTURED HOME.

19 (4) *SUBSECTION R102.4 REFERENCED CODES AND STANDARDS.*
20 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

21 **R102.4.1** WHENEVER IN THIS CODE THE TERM
22 “INTERNATIONAL ELECTRICAL CODE” IS USED, IT SHALL
23 MEAN “HOWARD COUNTY ELECTRICAL CODE” ADOPTED
24 PURSUANT TO TITLE 3, SUBTITLE 2, OF THE HOWARD COUNTY
25 CODE.

26 **R102.4.2** WHENEVER IN THIS CODE THE TERM
27 “INTERNATIONAL PLUMBING CODE” IS USED, IT SHALL MEAN
28 “HOWARD COUNTY PLUMBING AND GASFITTING CODE”
29 ADOPTED PURSUANT TO TITLE 3, SUBTITLE 3, OF THE
30 HOWARD COUNTY CODE.

R102.4.3 WHENEVER IN THIS CODE THE TERM
“INTERNATIONAL FIRE CODE” IS USED, IT SHALL MEAN THE
FIRE PREVENTION CODE OF HOWARD COUNTY ADOPTED
PURSUANT TO TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY
CODE.

R102.4.4 WHENEVER IN THIS CODE THE TERM
“INTERNATIONAL FUEL GAS CODE” IS USED, IT SHALL MEAN
THE HOWARD COUNTY PLUMBING AND GASFITTING CODE
ADOPTED PURSUANT TO TITLE 3, SUBTITLE 3, OF THE
HOWARD COUNTY CODE.

R102.4.5 WHENEVER IN THIS CODE THE TERM
“INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE” IS
USED, IT SHALL MEAN THE HOWARD COUNTY WATER AND
SEWER CODE ADOPTED PURSUANT TO TITLE 18, SUBTITLE 1,
OF THE HOWARD COUNTY CODE.

R102.4.6 WHENEVER IN THIS CODE THE TERM
“INTERNATIONAL PROPERTY MAINTENANCE CODE” IS USED,
IT SHALL MEAN THE HOWARD COUNTY PROPERTY
MAINTENANCE CODE FOR RENTAL HOUSING ADOPTED
PURSUANT TO TITLE 3, SUBTITLE 7, OF THE HOWARD COUNTY
CODE.

(5) *SUBSECTION R102.7 EXISTING STRUCTURES.*

IN THIS SUBSECTION DELETE “THE INTERNATIONAL
PROPERTY MAINTENANCE CODE OR THE INTERNATIONAL
FIRE CODE.” AND INSERT THE FOLLOWING: “HOWARD
COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL
HOUSING, HOWARD COUNTY FIRE PREVENTION CODE, AND
THE MARYLAND BUILDING REHABILITATION CODE.”

(6) *SUBSECTION R102.7.1 EXISTING STRUCTURES EXCEPTION.*

ADD THE FOLLOWING TO THE BEGINNING OF THE FIRST
SENTENCE OF THIS SECTION’S EXCEPTION:

- 1 UNLESS EXCEPTED BY THE MARYLAND BUILDING
2 REHABILITATION CODE.
- 3 (7) *SUBSECTION R301.2.4 FLOODPLAIN CONSTRUCTION.*
4 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
5 “INTERNATIONAL BUILDING CODE” AND INSERT “SECTION
6 3110, FLOODPLAIN DISTRICT, OF THE HOWARD COUNTY
7 BUILDING CODE.”
- 8 (8) *SUBSECTION R308.4 HAZARDOUS LOCATIONS.*
9 AT THE END OF THE LAST SENTENCE OF EXCEPTION NUMBER
10 5, ADD THE FOLLOWING: “OR SAFETY GLAZE FILM IN
11 ACCORDANCE WITH ASTM.”
- 12 (9) *SUBSECTION R309.2 SEPARATION REQUIRED.*
13 DELETE THE ENTIRE SECOND SENTENCE.
- 14 (10) *SUBSECTION R310.1 EMERGENCY ESCAPE AND RESCUE*
15 *OPENINGS.*
16 (I) DELETE “BASEMENTS WITH HABITABLE SPACE” AND
17 SUBSTITUTE “ALL NEW BASEMENTS”.
18 (II) ADD AN EXCEPTION TO THIS SUBSECTION AS FOLLOWS:
19 **EXCEPTION:** A RESIDENCE WITH AN NFPA 13D
20 SPRINKLER SYSTEM SHALL MEET THE REQUIREMENTS
21 OF THIS SECTION AND DOES NOT NEED AN ADDITIONAL
22 BEDROOM OR BASEMENT EGRESS.
- 23 (11) *SUBSECTION R311.4.3 LANDINGS AT DOORS.*
24 IN THE SECOND EXCEPTION, DELETE “7 ¾ INCHES (196 MM)”
25 AND SUBSTITUTE “8 1/4 INCHES”.
- 26 (12) *SUBSECTION R311.5.1 WIDTH.*
27 ADD AN EXCEPTION TO THIS SUBSECTION AS FOLLOWS:
28 **EXCEPTION:** A SECONDARY OR AUXILIARY STAIR SHALL
29 NOT BE LESS THAN 28 INCHES.
- 30 (13) *SUBSECTION R311.5.3.1 RISER HEIGHT.*

- 1 IN THE FIRST LINE OF THIS SUBSECTION DELETE “7 3/4 INCHES
2 (196 MM)” AND INSERT “8 1/4 INCHES.”
- 3 (14) *SUBSECTION R311.5.3.2 TREAD DEPTH.*
4 IN THE FIRST SENTENCE DELETE “10 INCHES (254 mm)” AND
5 INSERT “9 INCHES.”
- 6 (15) *SUBSECTION R311.5.6.2 CONTINUITY.*
7 ADD EXCEPTION NUMBER 3 AS FOLLOWS:
8 **EXCEPTION:** WHERE A WALL IS NON-CONTINUOUS,
9 ALTERNATIVE NON-CONTINUOUS HANDRAILS MAY BE
10 ACCEPTED SUBJECT TO THE APPROVAL OF THE BUILDING
11 OFFICIAL.
- 12 (16) *SUBSECTION R311.5.6.3 HANDRAIL GRIP SIZE.*
13 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
14 **R311.5.6.3 HANDRAIL GRIP SIZE.** ALL REQUIRED HANDRAILS
15 ~~SHALL BE ABLE TO BE GRASPED WITH A 1 1/4 INCH MINIMUM~~
16 ~~TOP CROSS SECTION AND 2 1/4 INCH MAXIMUM TOP CROSS~~
17 ~~SECTION.~~ SHALL BE ABLE TO BE GRASPED. THE TOP CROSS
18 SECTION SHALL RANGE FROM A MINIMUM OF 1 1/4 INCHES TO
19 A MAXIMUM OF 3 1/4 INCHES.
- 20 (17) *SUBSECTION R317.2.2 PARAPETS.*
21 AMEND THE EXCEPTION TO THIS SUBSECTION BY INSERTING
22 THE FOLLOWING AFTER THE WORD “ABOVE” IN THE FIRST
23 SENTENCE: “WHEN A TOWNHOUSE IS PROVIDED WITH A
24 SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH THE
25 INTERNATIONAL BUILDING CODE, SECTION 903.3.1.3 OR”.
- 26 (18) *SUBSECTION R317.4 SOUND TRANSMISSION.*
27 ADD NEW SUBSECTION R317.4 AFTER SUBSECTION R317.3 AS
28 FOLLOWS:
29 **R317.4 SOUND TRANSMISSION.** SOUND TRANSMISSION
30 REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE,
31 SECTION 1207, SHALL APPLY.

- 1 (19) *SUBSECTION R322.1 SCOPE.*
2 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
3 **R322.1 SCOPE.** AN ACCESSIBLE DWELLING UNIT SHALL
4 COMPLY WITH THE PROVISIONS OF THE MARYLAND
5 ACCESSIBILITY CODE.
- 6 (20) *SUBSECTION R323.1 GENERAL.*
7 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
8 “INTERNATIONAL BUILDING CODE” AND SUBSTITUTE
9 “SECTION 3110, FLOODPLAIN DISTRICT, OF THE HOWARD
10 COUNTY BUILDING CODE”.
- 11 (21) *SECTION R324 RADON CONTROL.*
12 ADD NEW SECTION R324 AFTER SECTION R323 AS FOLLOWS:
13 **SECTION R324 RADON CONTROL.**
14 **R324.1 RADON CONTROL.** RADON CONTROL METHODS
15 PRESCRIBED IN APPENDIX F, SHALL APPLY TO THE
16 CONSTRUCTION OF A NEW RESIDENTIAL BUILDING.
- 17 ~~(22) *SECTION R325 OPTION IN RESIDENTIAL BUILDINGS.*~~
18 ~~——— ADD NEW SECTION R325 AFTER R324 AS FOLLOWS:~~
19 ~~**R325 OPTION IN NEW RESIDENTIAL BUILDINGS.** THE~~
20 ~~SELLER OF A NEW RESIDENTIAL BUILDING SHALL GIVE THE~~
21 ~~BUYER INFORMATION REGARDING A RESIDENTIAL~~
22 ~~AUTOMATIC SPRINKLER SYSTEM ON A FORM PROVIDED BY~~
23 ~~THE DEPARTMENT OF FIRE AND RESCUE SERVICES IN~~
24 ~~ACCORDANCE WITH THE FIRE PREVENTION CODE OF~~
25 ~~HOWARD COUNTY. THE SELLER SHALL DISCLOSE THE COST~~
26 ~~OF INSTALLING A RESIDENTIAL AUTOMATIC SPRINKLER~~
27 ~~SYSTEM TO THE BUYER. AFTER SIGNING A SALES CONTRACT~~
28 ~~AND PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR A NEW~~
29 ~~SINGLE FAMILY DWELLING, THE SELLER SHALL NOTIFY THE~~
30 ~~BUILDING OFFICIAL THAT THE OPTION TO PURCHASE A~~
31 ~~RESIDENTIAL SPRINKLER SYSTEM WAS GIVEN TO THE BUYER.~~

~~**R325.1** FAILURE TO OFFER THE BUYER THE OPTION TO
INSTALL AN AUTOMATIC SPRINKLER SYSTEM OR FAILURE TO
PROVIDE THE REQUIRED NOTIFICATION TO THE DEPARTMENT
OF INSPECTIONS, LICENSES AND PERMITS AND TO THE
DEPARTMENT OF FIRE AND RESCUE SERVICES IS CAUSE TO
WITHHOLD THE BUILDING PERMIT FOR THE PROPERTY.~~

(22) SECTION R325 OPTION IN RESIDENTIAL DWELLINGS.

INSERT NEW SECTION R325 AFTER R324 AS FOLLOWS:

**R 325 OPTION TO INSTALL RESIDENTIAL AUTOMATIC
SPRINKLER SYSTEMS.**

R325.1 OPTION TO BUYER. A SELLER OF A NEW SINGLE
FAMILY DWELLING SHALL OFFER THE INITIAL BUYER AN
OPTION TO INSTALL A RESIDENTIAL AUTOMATIC SPRINKLER
SYSTEM. AS PART OF AT THE TIME OF SIGNATURE OF THE
REAL ESTATE SALES CONTRACT THE BUYER SHALL
ACKNOWLEDGE RECEIPT OF THE DISCLOSURE INFORMATION
REQUIRED IN SUBSECTION R325.2 OF THIS SECTION AND
SHALL INDICATE WHETHER THE BUYER INTENDS TO
EXERCISE THE OPTION TO INSTALL A RESIDENTIAL
AUTOMATIC SPRINKLER SYSTEM TO IMPROVE THE LIFE
SAFETY OF THE OCCUPANT AND TO REDUCE PROPERTY
DAMAGE FROM FIRE.

R325.2 DISCLOSURE OF INFORMATION. AT THE TIME OF
SIGNATURE OF A REAL ESTATE SALES CONTRACT, A SELLER
SHALL GIVE THE INITIAL BUYER INFORMATION REGARDING A
RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM ON A FORM
PROVIDED BY THE DEPARTMENT OF FIRE AND RESCUE
SERVICES. A SELLER SHALL DISCLOSE THE ESTIMATED COST
OF INSTALLING A RESIDENTIAL AUTOMATIC SPRINKLER
SYSTEM TO A BUYER.

1 **R325.3 NOTICE. AFTER SIGNATURE OF A REAL ESTATE SALES**
2 **CONTRACT AND PRIOR TO THE ISSUANCE OF A PERMIT FOR**
3 **THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING, A**
4 **SELLER SHALL NOTIFY THE DEPARTMENT OF INSPECTIONS,**
5 **LICENSES AND PERMITS, WITH A COPY TO THE DEPARTMENT**
6 **OF FIRE AND RESCUE SERVICES, THAT THE SELLER COMPLIED**
7 **WITH THE REQUIREMENTS OF SUBSECTIONS 325.1 AND 325.2**
8 **OF THIS SECTION. THE NOTIFICATION SHALL BE ON A FORM**
9 **PROVIDED BY THE DEPARTMENT OF FIRE AND RESCUE**
10 **SERVICES.**

11 **R325.4 PENALTY FOR FAILURE TO PROVIDE OPTION AND**
12 **NOTICE. FAILURE TO OFFER THE BUYER THE OPTION TO**
13 **INSTALL AN AUTOMATIC SPRINKLER SYSTEM, OR FAILURE TO**
14 **PROVIDE THE REQUIRED NOTIFICATION TO THE DEPARTMENT**
15 **OF INSPECTIONS, LICENSES AND PERMITS IS CAUSE TO**
16 **WITHHOLD THE ISSUANCE OF THE BUILDING ~~PERMIT FOR THE~~**
17 **DWELLING.” PERMIT FOR THE DWELLING.**

18 **R325.5 APPLICABILITY. THIS SECTION SHALL NOT APPLY TO:**

19 **(I) NEW HOMES CONSTRUCTED ON LOTS WHERE THE**
20 **WATER AND SEWER CONSTRUCTION PLANS RECEIVED FINAL**
21 **APPROVAL PRIOR TO JANUARY 1, 2005, IF THE HOUSE**
22 **CONNECTION OR WATER PRESSURE WILL NOT SUPPORT A**
23 **RESIDENTIAL SPRINKLER SYSTEM; OR**

24 **(II) NEW HOMES FOR WHICH THE CONTRACT OF SALE WAS**
25 **SIGNED PRIOR TO JANUARY 1, 2005.**

26 **R325.6 SELLER ACKNOWLEDGEMENT. THE SELLER IS**
27 **DEEMED TO BE THE BUYER, MAY EXERCISE THE OPTION**
28 **REQUIRED IN SUBSECTION 325.1, AND SIGN THE DISCLOSURE**
29 **FORM REQUIRED IN SUBSECTION 325.2 ONLY IF:**

(I) THERE IS NO SIGNED CONTRACT OF SALE AT THE TIME
THE SELLER IS ISSUED A PERMIT FOR THE
CONSTRUCTION OF THE SINGLE FAMILY DWELLING; OR
(II) THERE IS NO BUYER AT THE TIME THE SELLER IS
ISSUED A PERMIT FOR THE CONSTRUCTION OF THE
SINGLE FAMILY DWELLING.

(23) *TABLE R401.4.1 PRESUMPTIVE LOAD-BEARING VALUES OF
FOUNDATION MATERIALS.*

DELETE “2,000” POUNDS PER SQUARE FOOT AND INSERT
“2,500” POUNDS PER SQUARE FOOT.

(24) *SUBSECTION R403.1.4.1 FROST PROTECTION.*

DELETE EXCEPTION NUMBER 2.

(25) *TABLE R404.1.1 (1) PLAIN CONCRETE AND PLAIN MASONRY
FOUNDATION WALLS.*

CHANGE THE PLAIN CONCRETE MINIMAL NOMINAL WALL
THICKNESSES (INCHES) FOR SOIL TYPES GM, GC, SM, SM-SC,
AND ML TO 8 INCHES FOR MAXIMUM WALL HEIGHT OF 8 FEET
AND MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7 FEET.

CHANGE THE PLAIN CONCRETE MINIMAL NOMINAL WALL
THICKNESSES (INCHES) FOR SOIL TYPES GM, GC, SM, SM-SC
AND ML TO 8 INCHES FOR MAXIMUM WALL HEIGHT OF 9 FEET
AND MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7 FEET.

(26) *SUBSECTION R405.1 CONCRETE OR MASONRY FOUNDATIONS.*

DELETE THE EXCEPTION TO THIS SUBSECTION AND
SUBSTITUTE THE FOLLOWING:

R405.1.1 FOUNDATION DRAIN – A MINIMUM 3 INCH DIAMETER
SUBSOIL DRAIN OR OTHER APPROVED DRAIN OF EQUIVALENT
CROSS SECTIONAL AREA SHALL BE PROVIDED AROUND A
FOUNDATION ENCLOSING USABLE SPACES LOCATED BELOW
GRADE. A DRAIN SHALL BE INSTALLED ON THE EXTERIOR OF
THE FOUNDATION OR ON THE INTERIOR OF THE FOUNDATION

1 WITH A PIPE OF AT LEAST A 2 INCH DIAMETER LEADING TO
2 THE EXTERIOR EVERY 4 FEET AROUND THE PERIMETER. IN
3 EACH CASE, THE TOP OF THE DRAIN SHALL BE BELOW THE
4 BOTTOM OF SLAB. A DRAIN FOR A POURED CONCRETE
5 FOUNDATION MAY BE PLACED ON TOP OF THE FOOTING. A
6 SUBSOIL DRAIN SHALL BE COVERED WITH A MINIMUM OF A 4
7 INCH DEPTH OF GRAVEL OR WASHED STONE AND BUILDING
8 PAPER, FILTER CLOTH OR OTHER APPROVED MATERIAL. AN
9 END OF A SUBSOIL DRAIN SHALL DISCHARGE BY GRAVITY OR
10 BY MECHANICAL MEANS TO AN APPROVED DRAINAGE
11 OUTFALL.

12 (27) *SUBSECTION R903.4.2 GUTTERS AND LEADERS.*

13 ADD NEW SUBSECTION R903.4.2 AFTER SUBSECTION R903.4.1
14 AS FOLLOWS:

15 **R903.4.2 GUTTERS AND LEADERS.** A GUTTER AND LEADER
16 SHALL BE PROVIDED IN USE GROUPS R-3 AND R-4 (SINGLE
17 FAMILY DETACHED DWELLINGS). DESIGN AND INSTALLATION
18 SHALL BE IN ACCORDANCE WITH THE SECTIONS OF THE
19 HOWARD COUNTY PLUMBING AND GASFITTING CODE
20 DEALING WITH ROOF DRAINS AND THE SIZE OF LEADERS AND
21 STORM DRAINS.

22 (28) *SUBSECTION R1401.1.1 HVAC PERMIT REQUIRED.*

23 ADD NEW SUBSECTION R1401.1.1 AFTER SUBSECTION 1401.1 AS
24 FOLLOWS:

25 **R1401.1.1 HVAC PERMIT REQUIRED.** A HVAC PERMIT IS
26 REQUIRED FOR EVERY SYSTEM INSTALLED IN A NEW SINGLE
27 FAMILY DWELLING OR NEW SINGLE FAMILY ADDITION.

28 (29) *SUBSECTION R1401.3.1 PLANS AND INFORMATION REQUIRED.*

29 ADD NEW SUBSECTION R1401.3.1 AFTER SUBSECTION 1401.3 AS
30 FOLLOWS:

R1401.3.1 PLANS AND INFORMATION REQUIRED. EACH
PERMIT APPLICATION SHALL BE ACCOMPANIED BY A
SIMPLIFIED, BUT ACCURATE, PLAN DRAWN TO SCALE WHICH
SHALL INCLUDE:

(I) AN INFORMATION BLOCK WITH:

- A. THE SPECIFIC BUILDING ADDRESS (NOT LOT
NUMBER);
- B. COMPANY NAME DOING WORK;
- C. LICENSEE NAME AND SIGNATURE;
- D. STATE LICENSE REGISTRATION NUMBER;
- E. SCALE USED; AND
- F. NORTH ARROW;

(II) A ROOM, WINDOW, EXTERIOR DOOR, OR OTHER
RELEVANT CONSTRUCTION FEATURE INCLUDING, BUT
NOT LIMITED TO, A SKYLIGHT, PORCH, ATTIC ACCESS
TO EQUIPMENT THAT MAY AFFECT THE INTEGRITY OF
THE HVAC SYSTEM AND ITS INSTALLATION; AND

(III) A LINE DRAWING OF HVACR SYSTEM COMPONENTS
SUPERIMPOSED ON THE PLAN SHOWING THE
LOCATION, DIMENSION, AND RELEVANT ELEMENTS,
INCLUDING, BUT NOT LIMITED TO:

- A. INTERIOR OR EXTERIOR HVACR EQUIPMENT;
- B. DUCT TRUCK LINES AND TRANSITIONS;
- C. BRANCH DUCTS/RUN-OUTS, DAMPERS AND
REGISTERS WITH CFM RATINGS;
- D. THERMOSTATS;
- E. RETURN DUCTS AND GRILLS;
- F. DUCT INSULATION; AND

(IV) MANUAL J CALCULATIONS FOR THE PROPOSED WORK.

(30) CHAPTERS 24 THROUGH 24

DELETE THESE CHAPTERS.

1
2 **SEC. 3.103. AMENDMENTS TO THE INTERNATIONAL MECHANICAL**
3 **CODE, 2003 EDITION.**

4 (A) *IN GENERAL.*

5 (1) AS USED IN THIS SECTION, THE TERM "THIS CODE" MEANS
6 THE INTERNATIONAL MECHANICAL CODE, 2003 EDITION.

7 (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL"
8 MEANS THE DIRECTOR OF THE DEPARTMENT OF
9 INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR'S
10 AUTHORIZED DESIGNEE.

11 (3) WHERE THE NAME OF THE MUNICIPALITY IS TO BE
12 INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD
13 COUNTY, MARYLAND".

14 (4) AS USED IN THIS CODE, THE TERM "DEPARTMENT OF
15 MECHANICAL INSPECTION" MEANS THE DEPARTMENT OF
16 INSPECTIONS, LICENSES AND PERMITS.

17 (B) LOCAL ADMENDMENTS. THE FOLLOWING AMENDMENTS MODIFY
18 CERTAIN PROVISIONS OF THE ADOPTED CODE:

19 (1) *SUBSECTION 101.2 SCOPE.*

20 ADD THE FOLLOWING AT THE END OF THE EXCEPTIONS:

21 3. AN EXISTING BUILDING UNDERGOING REPAIR,
22 ALTERATION, ADDITION, OR CHANGE OF OCCUPANCY MAY
23 COMPLY WITH THE MARYLAND REHABILITATION CODE.

24 (2) *SUBSECTIONS 101.5.*

25 DELETE SECTIONS 103, 104, 105, 106, 107, 108, AND 109 AND
26 SUBSTITUTE:

27 **101.5 ADMINISTRATION.** SECTIONS 103 THROUGH 117 OF THE
28 INTERNATIONAL BUILDING CODE, 2003 EDITION, AS
29 AMENDED AND ADOPTED BY HOWARD COUNTY IN SECTION
30 3.101 OF THIS SUBTITLE, SHALL GOVERN THE
31 ADMINISTRATION OF THIS CODE.

- 1 (3) *SUBSECTION 102.1 GENERAL.*
- 2 ADD AN EXCEPTION TO SUBSECTION 102.1 AS FOLLOWS:
- 3 **EXCEPTION:** AN ALTERNATIVE FEATURE WHICH IS
- 4 ACCEPTED BY THE CODE OFFICIAL SHALL BE CONSIDERED IN
- 5 CONFORMANCE WITH ALL CODES, PROVIDED THAT THE
- 6 OVERALL LEVEL OF HEALTH, SAFETY AND WELFARE IS NOT
- 7 DIMINISHED.
- 8 (4) *SUBSECTION 301.13 FLOOD HAZARD.*
- 9 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
- 10 “INTERNATIONAL MECHANICAL CODE” AND SUBSTITUTE
- 11 “SECTION 3110 OF THE HOWARD COUNTY BUILDING CODE.”
- 12 (5) *SUBSECTION 513.12.3 AUTOMATIC CONTROL.*
- 13 DELETE THE WORDS “INTERNATIONAL FIRE CODE” AND
- 14 INSERT “INTERNATIONAL BUILDING CODE”.

15

16 **SEC. 3.104. AMENDMENTS TO THE ENERGY CONSERVATION CODE, 2003**

17 **EDITION.**

18 (A) *IN GENERAL.*

- 19 (1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS
- 20 THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003
- 21 EDITION.
- 22 (2) AS USED IN THIS CODE, THE TERM "CODE OFFICIAL" MEANS
- 23 THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
- 24 LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED
- 25 DESIGNEE.
- 26 (3) WHERE THE NAME OF THE MUNICIPALITY IS TO BE
- 27 INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD
- 28 COUNTY, MARYLAND".

29 (B) *LOCAL AMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY

30 CERTAIN PROVISIONS OF THE ADOPTED CODE:

- 31 (1) *SUBSECTION 101.1 TITLE.*

1 DELETE THIS SUBSECTION 101.1 AND INSERT THE FOLLOWING:
2 **101.1 TITLE.** THESE REGULATIONS SHALL BE KNOWN AS THE
3 ENERGY CONSERVATION CODE OF HOWARD COUNTY.

4 (2) *SUBSECTION 201.3 TERMS DEFINED IN OTHER CODES.*
5 DELETE “INTERNATIONAL BUILDING CODE, ICC ELECTRICAL
6 CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL
7 GAS CODE, INTERNATIONAL MECHANICAL CODE” AND
8 SUBSTITUTE “THE HOWARD COUNTY BUILDING CODE, THE
9 HOWARD COUNTY ELECTRICAL CODE, THE HOWARD COUNTY
10 FIRE PREVENTION CODE, THE HOWARD COUNTY

1 MECHANICAL CODE, AND THE HOWARD COUNTY PLUMBING
2 AS GASFITTING CODE”.

3 (3) *SECTION 202 GENERAL DEFINITIONS.*

4 DELETE THE DEFINITION OF “CODE OFFICIAL” AND INSERT
5 “THE BUILDING OFFICIAL AS DEFINED IN THE HOWARD
6 COUNTY BUILDING CODE.”

7
8 *Section 3. And Be It Further Enacted by the County Council of Howard County,*
9 *Maryland, that this Act shall become effective 61 days after its enactment.*